

sonnel of our armed forces and any curtailment in the operation of our armed forces, as the American Legion feels that our armed forces even now are not adequate; and that the American Legion of New Jersey use every effort to oppose any further cut in the personnel of our armed forces or in the operation of said armed forces, and to oppose strenuously the elimination or curtailment of the citizens' military training camps and Reserve Officers' Training Corps; to the Committee on Military Affairs.

797. Also, petition of the Elizabeth Parcells Devoe Chapter, Daughters of the American Revolution, Leonia, N.J., sending to the White House their urgent prayer to build up, rather than further reduce, the existing defense forces of training and equipment for the safety of our Nation, its people, and the Government itself; to the Committee on Appropriations.

798. By Mr. LESINSKI: Petition of banking commissioners and banking associations' officials and representatives of 14 States, urging fair and sound banking legislation for the purpose of strengthening banking in general; to the Committee on Banking and Currency.

799. Also, petition of the Legislature of the State of Michigan, urging Federal insurance of bank deposits in National and State banks; to the Committee on Banking and Currency.

800. By Mr. LEWIS of Colorado: Resolution of the Twentieth General Assembly of the State of Colorado, requesting that the Congress of the United States make the appropriations for the mineral-leasing division of the Geological Survey sufficient to enable the division to function efficiently for the protection of the oil, gas, coal, and nonmetallic mineral resources of the Western States; to the Committee on the Public Lands.

801. By Mr. LUDLOW: Petition of residents of Indianapolis, Ind., opposing compulsory 30-year retirement from the Government service; to the Committee on the Civil Service.

802. By Mr. McFARLANE: Petition of Pat Carrigan Post, No. 120, American Legion, Wichita Falls, Tex., urging the Congress of the United States to enact into law at once the Patman bill for immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

803. By Mr. RUDD: Petition of Brooklyn Real Estate Board, Brooklyn, N.Y., favoring the passage of the home-mortgage refinancing legislation, with an amendment of \$20,000, be made on homes; to the Committee on Appropriations.

804. Also, petition of Edward Quittner, New Rochelle, N.Y., favoring the Sirovich resolution, for an investigation of the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

805. By Mr. SUTPHIN: Petition adopted by the American Legion, Department of New Jersey, praying for the continuance of the naval air station at Lakehurst, N. J.; to the Committee on Naval Affairs.

806. Also, petition adopted by the American Legion, Department of New Jersey, advocating building of our Navy to treaty strength for the purpose of forwarding the cause of peace; to the Committee on Naval Affairs.

807. Also, petition adopted by the American Legion, Department of New Jersey, urging the maintenance of a strong national defense; to the Committee on Military Affairs.

808. Also, petition adopted by the New Jersey State Association of Postal Supervisors, protesting against an amendment to the Retirement Act, attached as a rider to the independent offices appropriation bill, demanding compulsory retirement of certain employees; to the Committee on Appropriations.

SENATE

MONDAY, MAY 1, 1933

The Chaplain, Rev. Z. Barney T. Phillips, D.D., offered the following prayer:

In the midst of the beauty of this, another day, give us thankful hearts, O loving Heavenly Father, that as we hold within our grasp the reins of many complicated tasks we may bring to our work a deepened interest, vibrant with

the very joy of life. Upon our Nation, our President, Vice President, the Members of Congress, and all who share in the responsibility of government, bestow Thy blessing, and to those among us so recently overborne with sorrow vouchsafe the abundance of Thy peace and holy comfort.

Grant to each one of us here that, seeing the spirits of the moments yet unborn, we may stand sponsor for each moment as it comes, holding it in reverent hands for baptism at the sacred font of God. We ask it all in the name and for the sake of Him who, in redeeming the time of life's little day, revealed to us the glory of Thy eternal morning, Jesus Christ our Lord. Amen.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H.R. 5240) to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J.Res. 13) authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered, and it was signed by the Vice President.

THE JOURNAL

The VICE PRESIDENT. The clerk will read the Journal. The Chief Clerk proceeded to read the Journal of the proceedings of the calendar day of Friday, April 28, when, on motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. ROBINSON of Arkansas. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Coolidge	Keyes	Reynolds
Ashurst	Copeland	King	Robinson, Ark.
Austin	Costigan	La Follette	Robinson, Ind.
Bachman	Couzens	Logan	Russell
Bankhead	Cutting	Loung	Sheppard
Barbour	Dickinson	McAdoo	Shipstead
Barkley	Dill	McCarran	Smith
Black	Duffy	McGill	Steiwer
Bone	Erickson	McKellar	Stephens
Borah	Fess	McNary	Thomas, Okla.
Bratton	Fletcher	Metcalf	Thomas, Utah
Brown	Frazier	Murphy	Townsend
Bulkeley	Glass	Neely	Trammell
Bulow	Goldsborough	Norbeck	Tydings
Byrd	Gore	Norris	Vandenberg
Byrnes	Hale	Nye	Van Nuys
Capper	Harrison	Overton	Wagner
Caraway	Hayden	Patterson	Walcott
Carey	Johnson	Pittman	Walsh
Clark	Kean	Pope	Wheeler
Connally	Kendrick	Reed	White

Mr. ROBINSON of Arkansas. I desire to announce that the Senator from Illinois [Mr. LEWIS] is necessarily detained from the Senate. I wish this announcement to stand for the day.

Mr. REED. I wish again to announce the absence of my colleague [Mr. DAVIS] on account of illness.

Mr. KENDRICK. I desire to announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Illinois [Mr. DIETERICH], and the Senator from Georgia [Mr. GEORGE] are necessarily detained from the Senate.

Mr. OVERTON. I desire to announce that my colleague [Mr. LONG] is necessarily detained from the Senate. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

PROPOSED INVESTIGATION OF MUSCLE SHOALS PROPERTY

The VICE PRESIDENT. The Chair lays before the Senate a communication which will be read.

The legislative clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 28, 1933.

The PRESIDENT OF THE SENATE,
Washington, D.C.

SIR: I have just noticed the following part of an amendment to S. 1272, current session, introduced on the 17th instant by Senator NORRIS, of Nebraska. The bill deals with the Tennessee Valley development:

"And provided further, That the President is hereby expressly authorized to select attorneys and assistants for the purpose of making any investigation he may deem proper to ascertain whether, in the control and management of Dam No. 2, or any other dam or property owned by the Government in the Tennessee River Basin, or in the authorization of any improvement therein, there has been any undue or unfair advantage given to private persons, partnerships, or corporations, by any officials or employees of the Government, or whether, in any such matters, the Government has been injured or unjustly deprived of any of its rights."

Since I am individually responsible for all acts done on the Tennessee River improvement by Federal authority during the past three and a half years, I am well aware of what has been done there. Being conscious of no wrongdoing at all and confident that I have personally and otherwise protected all of the interests of the United States at Muscle Shoals and on the Tennessee at all times, I believe that this amendment does great injustice to deserving and honorable public servants by bringing them in public suspicion and leaving them there at a critical time when their services are needed.

I am unwilling to wait for the investigation that this amendment proposes; it may never happen and will not remedy the harm done. The Senate has able lawyers fully capable of handling this matter, and of saving the Government the hire of lawyers and assistant lawyers.

It seems strange that at this late day that those who have built this Wilson Dam, who have guarded it through 10 years of controversy, who have preserved it in fine condition, free from any incumbrances whatsoever, and who have furnished every scintilla of data on which this much-advertised Tennessee development is based, should now, even though inadvertently, be brought under the suspicion of wrongdoing.

The time to investigate is now. If mud there be to dry out, let it be dried while the fire is hot and I am here to assist. All of the facts of the case should see the light of day, and before any further steps are taken in this matter.

I request an immediate and open investigation of the matter of this amendment by the appropriate committee of the Senate, and an opportunity to be heard.

Respectfully,

LYTLE BROWN,
Major General, Chief of Engineers.

Mr. NORRIS. Mr. President, at 2 o'clock the Muscle Shoals bill will come before the Senate. The amendment referred to by General Brown is one that will be offered by me during the consideration of the bill. It provides for an investigation by the President of the United States. General Brown is anxious to have the matter investigated by a Senate committee and is fearful of delay.

In anticipation of the adoption of the amendment when it is offered during the consideration of the bill, I am going to ask that the letter be referred to the President of the United States. If the amendment shall not be adopted when reached and debated, I will withdraw the request. Of course, I have no objection to any other plan the Senate may desire to pursue, but General Brown, so far as I know, has not been accused of anything, neither has any other worthy citizen, and he will have ample opportunity, as he suggests, to help in the investigation. I hope he will help.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nebraska to refer the letter to the President of the United States? The Chair hears none, and it is so ordered.

REPORT OF THE RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the secretary of the Reconstruction Finance Corporation, submitting, pursuant to law, a report of the activities and expenditures of the Corporation for the month of

March 1933, together with a statement of loans authorized during that month, showing the name, amount, and rate of interest in each case, which, with the accompanying papers, was referred to the Committee on Banking and Currency.

FUNCTIONS OF THE INTERIOR DEPARTMENT (S.DOC. NO. 48)

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, submitting, pursuant to Senate Resolution 351, Seventy-second Congress, a report of the functions and activities conducted under the jurisdiction of the Interior Department, the statutory authority therefor, the total annual expenditures thereon, and also a list of employees receiving compensation at the rate of \$5,000 or more per annum, which, with the accompanying papers, was ordered to lie on the table and to be printed.

FUNCTIONS OF THE DEPARTMENT OF LABOR (S.DOC. NO. 47)

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Labor, submitting, pursuant to Senate Resolution 351, Seventy-second Congress, a report of the functions and activities conducted under the jurisdiction of the Department of Labor, the statutory authority therefor, the total annual expenditures thereon, and also a list of employees receiving compensation at the rate of \$5,000 or more per annum, which, with the accompanying papers, was ordered to lie on the table and to be printed.

FUNCTIONS OF THE TARIFF COMMISSION (S.DOC. NO. 51)

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, submitting, pursuant to Senate Resolution 351, Seventy-second Congress, a report as to the functions of the Commission, the statutory authority therefor, and the total annual expenditures thereon, also a list of employees receiving compensation at the rate of \$5,000 or more per annum, which, with the accompanying papers, was ordered to lie on the table and to be printed with illustration.

FUNCTIONS OF THE AMERICAN BATTLE MONUMENTS COMMISSION (S.DOC. NO. 50)

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the American Battle Monuments Commission, submitting, pursuant to Senate Resolution 351, Seventy-second Congress, a report as to the functions and activities of the Commission, the total number of employees, the salaries and wages paid, and other expenditures required for administration and for the field office under the jurisdiction of the Commission, etc., which, with the accompanying papers, was ordered to lie on the table and to be printed.

FUNCTIONS OF EMPLOYEES' COMPENSATION COMMISSION (S.DOC. NO. 49)

The VICE PRESIDENT laid before the Senate a letter from the Acting Chairman of the United States Employees' Compensation Commission, submitting, pursuant to Senate Resolution 351, Seventy-second Congress, a report of the functions and activities conducted under the jurisdiction of the Commission, the statutory authority therefor, and the total annual expenditures, also a list of employees receiving compensation at the rate of \$5,000 or more per annum, which, with the accompanying papers, was ordered to lie on the table and to be printed.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Banking and Currency:

STATE OF WISCONSIN.

Joint resolution memorializing Congress to pass an act permitting cities, counties, and States to deposit their bonds with the Federal Government in exchange for currency

Whereas the special privilege now enjoyed by banks throughout this country to have the Federal Government issue currency in exchange for its bonds is discriminatory as against cities, counties, and States; and

Whereas this discrimination has the effect of curtailing the cash resources of the various cities, counties, and States throughout this country; and

Whereas if this privilege were extended to cities, counties, and States of this country, it would tend to wipe out for all time the curse of the interest burden of the public debts of such cities, counties, and States: Now, therefore, be it

Resolved by the senate (the assembly concurring), That the Legislature of Wisconsin hereby respectfully petitions the Congress of the United States to pass an act permitting cities, counties, and States to deposit their bonds with the Federal Government, and to have the Federal Government issue currency thereon; be it further

Resolved, That a properly certified copy of this resolution be sent to each of the following officials: To the President of the Senate of the United States, the Speaker of the House of Representatives, the Chief Clerks of both Houses of Congress, and to each Senator and Representative from this State in the Congress of the United States.

C. T. YOUNG,
Speaker of the Assembly.
JOHN J. SLOCUM,
Chief Clerk of the Assembly.
THOMAS J. O'MALLEY,
President of the Senate.
R. A. COBBAN,
Chief Clerk of the Senate.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Oklahoma, which was referred to the Committee on Finance:

STATE OF OKLAHOMA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, R. A. Sneed, secretary of state of the State of Oklahoma, do hereby certify that the following and hereto attached is a true copy of enrolled Senate Concurrent Resolution No. 22 (by Fischl):

A concurrent resolution memorializing Congress to provide relief for the oil industry, the farmers, the unemployed, business, and the people generally by providing an adequate tariff or tax on oil that will place the domestic-oil industry on a competitive basis with imported oil as shown by the reports of the Tariff Commission.

The original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of State. Done at the city of Oklahoma City, this 27th day of April A.D. 1933.

[SEAL]

R. A. SNEED, Secretary of State.

Senate Concurrent Resolution 22 (by Fischl)

A concurrent resolution memorializing Congress to provide relief for the oil industry, the farmers, the unemployed, business, and the people generally by providing an adequate tariff or tax on oil that will place the domestic-oil industry on a competitive basis with imported oil as shown by the reports of the Tariff Commission

Whereas business generally, not only in Oklahoma and the Southwest, but throughout all the oil-producing States, affecting over 22,000,000 people, has been directly depressed by the long distressed condition of the oil industry, and which depressed condition has now become very serious; and

Whereas excessive importations of foreign oils continue to flow into our country, constantly increasing in volume, until the flood has reached alarming proportions; and

Whereas in the year 1932, in Oklahoma alone the total production of crude oil was over \$215,000,000 less than for the year 1929, which tremendous loss would have been saved had there been a tax or a tariff of \$1.03 per barrel on crude oil, thereby placing domestic oil on a competitive basis with importations, as shown by the latest report of the Tariff Commission; and

Whereas the rentals and annual royalty income, mostly paid to farmers, have been reduced millions of dollars yearly, which increasing loss continues to add to their already unbearable burdens; and

Whereas the schools of Oklahoma have suffered severely in the loss of nearly six millions of dollars in gross production tax in the single year of 1932, compared with the gross production tax received in 1929; and

Whereas not only have the farmers and the schools sustained severe losses, but also banking, transportation, manufacturing, industry, utility, and every type and character of business have been adversely affected by the distressed condition of the oil industry and by the great loss in purchasing power due to the taking of our domestic markets by the importations of cheap foreign oil; and

Whereas the general unemployment situation has been very greatly aggravated by the thousands of oil-field workers, geologists, land men, lease men, scouts, and office employees forced out of employment, and by the thousands now unemployed but formerly employed by businesses dependent on the oil industry, the third largest industry in the Nation: Now, therefore, be it

Resolved by the Senate of the State of Oklahoma (the house of representatives concurring therein), That the Congress of the United States be, and it is hereby, memorialized to give relief to the distressed oil industry, and thereby to the Nation generally, by immediately levying an adequate tax or tariff upon imported petroleum and its refined products that will enable our domestic-oil industry to meet importations of foreign oil and its refined products on a competitive basis as shown by the report of the Tariff Commission; be it further

Resolved, That copies of this resolution be sent to the presiding officers of the legislative bodies of the other oil-producing States

with the request that they transmit similar memorials to Congress; and that a copy of this resolution be transmitted to the President of the United States, and to the President of the Senate, and to the Speaker of the House of Representatives of the Congress of the United States, and to each of the United States Senators and Congressmen representing the State of Oklahoma.

Passed the senate the 18th day of April 1933.

Passed the house of representatives the 22d day of April 1933.

JOHN A. MACDONALD,
Acting President of the Senate.
TOM ANGLIN,

Speaker of the House of Representatives.

Correctly enrolled.

CLAUDE LIGGETT,
Chairman Committee on Engrossing and Enrolling.

The VICE PRESIDENT also laid before the Senate the following joint memorials of the Legislature of the Territory of Alaska, which were referred to the Committee on Commerce:

TERRITORY OF ALASKA,
OFFICE OF SECRETARY FOR THE TERRITORY.

I, Karl Theile, secretary of Alaska and custodian of the great seal of said Territory, do hereby certify that I have compared the annexed copy of House Joint Memorial No. 4 of the Alaska Territorial Legislature, 1933, with the original thereof, and that the same is a full, true, and correct copy of said original now on file in my office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska at Juneau, the capital, this 17th day of April A.D. 1933.

[SEAL]

KARL THEILE,
Secretary of Alaska.

House Joint Memorial 4 (by Mr. Baronovich)

To the honorable the Congress of the United States:

Your memorialist, the Legislature of the Territory of Alaska, in regular session assembled, respectfully represents:

Whereas practically the entire native population and a large percentage of the whole population of southern Alaska are engaged in commercial fishing and have their entire capital invested in it; and

Whereas the Bureau of Fisheries of the United States, under the provisions of the acts of Congress approved June 26, 1906, and June 6, 1924, and acts amendatory thereto, are charged with the administration of the said laws and with the conservation of the fisheries of Alaska, and under the power given them have issued orders governing fishing that are sometimes ambiguous and technical; and

Whereas the said acts provided penalties for breaches thereof or violations of any of the orders issued thereunder. These penalties permit fines of not more than \$5,000 or imprisonment of not more than 90 days, or both, upon conviction in the criminal court, and, in addition, the seizure and forfeiture of boats, gear, or appliances under the admiralty law, where the trial is before the judge alone. No provision is made for the release of these boats or paraphernalia, on bonds or otherwise, pending the disposition of the case; and

Whereas a practice has arisen whereby the agents of the said Bureau of Fisheries immediately seize the boats, gear, or appliances as soon as a breach of the law is suspected, and the accused is then notified by the said agents that if he, they, or it, as the case may be, will agree to plead guilty to offense charged and pay a fine designated by the said agents, that the boats, etc., will be released upon the said plea of guilty being made to a charge that would be filed in the criminal court and paying the fine agreed upon, otherwise the said boats, etc., would be held for disposition by the admiralty court; and

Whereas this practice is unjust and un-American, since it deprives the accused of the right guaranteed by the Constitution to appear and answer and the right to a speedy trial by jury on the charge presented, and compels the innocent to either accept the alternative of admitting a crime of which he was not guilty or paying the penalty for the said crime by losing the use of his property for a period likely to cover the whole fishing season, thereby limiting his means of earning his living:

Now, therefore, your memorialist respectfully prays that section 6 of the act of Congress approved June 6, 1924, be amended to provide that no boats, gear, or other appliances used in fishing shall be seized until the accused has been tried and convicted of the crime charged against him.

Passed by the house March 30, 1933.

JOE McDONALD,
Speaker of the House.

Attest:

C. H. HELGESEN,
Chief Clerk of the House.

Passed by the senate April 4, 1933.

ALLEN SHATTUCK,
President of the Senate.

Attest:

AGNES F. ADST,
Secretary of the Senate.

Certified a true copy.

C. H. HELGESEN,
Chief Clerk of the House.

TERRITORY OF ALASKA,
OFFICE OF SECRETARY FOR THE TERRITORY.

I, Karl Theille, secretary of Alaska and custodian of the great seal of said Territory, do hereby certify that I have compared the annexed copy of Senate Joint Memorial No. 5 of the Alaska Territorial Legislature, 1933, with the original thereof, and that the same is a full, true, and correct copy of said original now on file in my office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 21st day of April A.D. 1933.

[SEAL]

KARL THEILLE,
Secretary of Alaska.

Senate Joint Memorial 5 (by Messrs. DeVane and Lomen)

To the Congress of the United States, the Department of Commerce, the Bureau of Fisheries, and the Delegate to Congress from Alaska:

Your memorialist, the Legislature of the Territory of Alaska, respectfully represents that—

Whereas the present law governing the fisheries of the Territory of Alaska (White Act) passed June 6, 1924, prohibits commercial fishing for shipment out of the Territory of Alaska in or within 500 yards of the mouth of any river in the Territory of Alaska except the Karluk and Ugashik Rivers; and

Whereas the Yukon and Kuskokwim Rivers are navigable for more than 2,500 miles, and along their banks are scattered a population of several thousands of people consisting of native Indians and whites, and many of these native Indians and white settlers in the Yukon and Kuskokwim Rivers have established permanent homes and live the year round in their respective homes, making a living off the country by trapping, fishing, prospecting, and small-scale mining; and

Whereas every year there is caught and dried for dog feed more than 100,000 king salmon from these two rivers, formerly used as food for dogs used as means of transporting mail and for general transportation purposes; and

Whereas, because of the advancement of the aviation industry, and the fact that airplanes are used almost entirely for the transportation of mail and for general transportation of passengers and supplies along the Yukon and Kuskokwim Rivers, there is no further use for dogs and dog teams as a means of transportation generally, this fish, which is caught and prepared for use within the Territory of Alaska as feed for these dogs, is unsalable and of no value; and the trails have become blocked with snow, because of general use of airplanes by traveling public and are of little or no use to the permanent residents for travel by dog teams. Thus has been eliminated to a large extent the use for dog teams in these two valleys; and

Whereas regulations now in force under the White law permit the taking of 50,000 king salmon 500 yards off the mouth of the Yukon River, which said mouth is designated by markers at Nilak and Tin Can Point, which points are on the open sea; and

Whereas the fishing under this regulation last season resulted in only 4,739 king salmon packed out of the 50,000 allowed because of the fact that fishing in the waters allowed under said regulation required the owning or securing of a sea-going power boat and fishing gear suitable for fishing in the open sea, and represented an investment of at least \$20,000, and that of the 4,739 fish taken last season 4,412 of them were taken by one man, who is the only person with proper boat and gear adjacent to the place where fishing is allowed; and

Whereas the taking of 50,000 king salmon 500 yards outside the mouth of the Yukon River has not resulted in any economic relief to the people of the Yukon River who are permanent and bona-fide residents of the Yukon Valley, because of the fact that they are unable to fish in the designated waters due to lack of equipment suitable for such fishing; and

Whereas in addition to the 50,000 fish allowed to be taken from the mouth of the Yukon many thousands of fish just as equal in quality are caught inside the mouth of the Yukon and cannot be prepared for human consumption because of the prohibitions of the present laws and regulations, which fish are far in excess of the requirements for local use and are dried under present conditions wasted; and

Whereas the average income of the native Indian and the permanent white population of the Yukon and Kuskokwim Rivers has become greatly reduced through the low prices and poor catches of furs, and the income of many families has been wiped out entirely through the use of airplanes for the transportation of mail, passengers, and supplies, and want and destitution are prevalent among the native and white inhabitants of these sections; and

Whereas the Grand Igloo of Pioneers of Alaska by resolution has condemned the present wasteful practice of drying king salmon for dog food, and the Ninth and Tenth Sessions of the Alaska Territorial Legislature have memorialized the Congress of the United States praying for relief, and the platform on which the present Delegate to Congress from Alaska and a large majority of the Alaska Territorial Legislature were elected demanded this relief; and

Wherefore your memorialists, the Legislature of the Territory of Alaska in eleventh session assembled, most urgently request—

That the White law be amended to permit the native Indians and permanent white inhabitants of the Yukon and Kuskokwim Rivers to catch and pack king salmon for export from the Territory of Alaska in limited quantities and under suitable regulations

to prevent depletion of the supply, and that the regulations permit cooperative or community canneries and cold-storage facilities for mild curing the fish so taken.

And your memorialist will ever pray.

Passed the senate April 13, 1933.

ALLEN SHATTUCK,
President of the Senate.

Attest:

AGNES F. ADSIT,
Secretary of the Senate.

Passed the house April 19, 1933.

JOE McDONALD,
Speaker of the House.

Attest:

C. H. HELGESEN,
Chief Clerk of the House.

A true copy:

AGNES F. ADSIT,
Secretary of the Senate.

The VICE PRESIDENT also laid before the Senate the following joint memorial of the Legislature of the Territory of Alaska, which was referred to the Committee on Territories and Insular Affairs:

TERRITORY OF ALASKA,
OFFICE OF SECRETARY FOR THE TERRITORY.

I, Karl Theille, secretary of Alaska and custodian of the great seal of said Territory, do hereby certify that I have compared the annexed copy of House Joint Memorial No. 3 of the Alaska Territorial Legislature, 1933, with the original thereof, and that the same is a full, true, and correct copy of said original now on file in my office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of April A.D. 1933.

KARL THEILLE,
Secretary of Alaska.

House Joint Memorial No. 3 (by Mr. McCutcheon)

To the President and the Congress of the United States:

Your memorialists, the Legislature of the Territory of Alaska, in eleventh regular session assembled, present to you the following facts:

Whereas there are vast areas of agricultural and mineral lands in Alaska susceptible of development which will maintain a permanent population so necessary to the welfare of the Territory; and

Whereas the lands referred to are still inaccessible and undeveloped, due to the lack of vehicular roadways; and

Whereas the development of the farm and mineral lands will tend greatly to the material well-being, not only of the people at large but of the Government constructed and operated railroad; and

Whereas the Federal Government has already extended aid to all of the States of the Union and the Territory of Hawaii for the construction of highways jointly with such States and Territory; and

Whereas Alaska has in the past contributed generously from its own funds in the construction and maintenance of roads; and

Whereas Alaska is willing to cooperate on any equitable basis with the Federal Government in the matter of Federal aid for highways: Now, therefore,

We, your memorialists, believing that the general welfare of the Territory can thereby be greatly improved, earnestly pray that the Federal Aid Road Act, approved July 11, 1916, be extended to the Territory of Alaska;

And your memorialists will ever pray.

Passed by the house April 4, 1933.

JOE McDONALD,
Speaker of the House.

Attest:

C. H. HELGESEN,
Chief Clerk of the House.

Passed by the senate April 10, 1933.

ALLEN SHATTUCK,
President of the Senate.

Attest:

AGNES F. ADSIT,
Secretary of the Senate.

Certified a true copy.

C. H. HELGESEN,
Clerk of the House.

The VICE PRESIDENT also laid before the Senate the following memorial of the Senate of the Territory of Alaska, which was referred to the Committee on Territories and Insular Affairs:

TERRITORY OF ALASKA,
OFFICE OF SECRETARY FOR THE TERRITORY.

I, Karl Theille, secretary of Alaska and custodian of the great seal of said Territory, do hereby certify that I have compared the annexed copy of Senate Memorial No. 1 of the Alaska Territorial Legislature, 1933, with the original thereof, and that the same is a full, true, and correct copy of said original now on file in my office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 21st day of April A.D. 1933.

[SEAL]

KARL THEILE,
Secretary of Alaska.

Senate Memorial 1 (by Mr. Campbell)

To the President of the United States, the United States Senate, the House of Representatives, and the Delegate from Alaska:

Your memorialist, the Territorial Senate of the Territory of Alaska, in eleventh regular session assembled, hereby most earnestly and respectfully represents:

Whereas it appears to be the present policy of the Federal Government to cause a general and material reduction in wages and/or salaries paid its officials and employees in the services of the Federal Government in the Territory of Alaska; and

Whereas there are many Federal officials and employees residing in sparsely settled districts of Alaska, far from any direct line or lines of transportation; and

Whereas for reasons above stated no official schedule of the cost price of living in Alaska has been or can with anything like accuracy be given with the information and data at hand or available at this time; and

Whereas the cost of living, anywhere in Alaska, is much greater than it is in any State of the Union because and for the reason of its isolation and the cost of transportation: Wherefore

Your memorialist prays that the President and Congress will, before making or authorizing any material reduction in wages or salaries of its officials and employees in the Territory of Alaska, cause an investigation of the true conditions and a schedule price of the cost of living in Alaska to be officially studied and determined and the salaries of Federal employees in the Territory of Alaska to be adjusted from the findings of this survey.

Passed by the senate April 20, 1933.

ALLEN SHATTUCK,
President of the Senate.

Attest:

AGNES F. ADSIT,
Secretary of the Senate.

A true copy:

AGNES F. ADSIT,
Secretary of the Senate.

The VICE PRESIDENT also laid before the Senate the following resolution of the House of Representatives of the Territory of Alaska, which was ordered to lie on the table:

TERRITORY OF ALASKA,
OFFICE OF SECRETARY FOR THE TERRITORY.

I, Karl Theile, secretary of Alaska and custodian of the great seal of said Territory, do hereby certify that I have compared the annexed copy of House Resolution No. 1 of the Alaska Territorial Legislature, 1933, with the original thereof, and that the same is a full, true, and correct copy of said original now on file in my office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 21st day of April A.D. 1933.

[SEAL]

KARL THEILE,
Secretary of Alaska.

House Resolution 1 (by Mr. Green)

Whereas there is pending in the Congress of the United States a bill to establish a bimetallic system of currency, employing the use of gold and silver, to fix the relative value of gold and silver, and to provide for the free coinage of silver, and for other purposes; and

Whereas it is believed that the prosperity of the people of the United States depends largely upon foreign markets for the products of the farms and factories; and

Whereas foreign nations which could use these products are unable to buy them on account of the shortage and maldistribution of gold and the depreciation of their currencies as measured by gold; and

Whereas many of the leading nations of the world have abandoned the gold standard and are unable to settle adverse trade values in gold; and

Whereas the commodity price levels of today are so much lower than the price levels at the time when practically all of the existing debts, both public and private, were contracted; and

Whereas, if the present commodity price levels continue, the payment of the aforesaid debts will be impossible; and

Whereas it is believed that legal provisions for the remonetization of silver as set forth in the Wheeler bill (S. 2487) now pending before Congress would rehabilitate the purchasing power of people everywhere, create a world market for the products of our farms and factories, and thereby bring about a rise in the price of commodities thus enabling all debtors to meet their obligations: Now, therefore, be it

Resolved by the House of Representatives of the eleventh session of the Legislature of the Territory of Alaska, now in session—

1. That we hereby petition the Congress of the United States to give favorable consideration to the Wheeler bill, S. 2487, now referred to and in the hands of the Committee on Finance of the United States Senate to the end that relief may be afforded to all industries and all classes of society through the stabilization of the currencies of the world.

2. That certified copies of this resolution be sent to the Vice President of the United States and the Speaker of the House of Representatives, and the Alaska Delegate in Congress.

Passed by the house April 13, 1933.

JOE McDONALD,
Speaker of the House.

Attest:

C. H. HELGESEN,
Chief Clerk of the House.

Certified a true copy.

C. H. HELGESEN,
Clerk of the House.

The VICE PRESIDENT also laid before the Senate resolutions adopted by the House of Representatives of the General Court of Massachusetts, favoring the passage of legislation for the tariff protection of the fishing industry, which was referred to the Committee on Finance.

(See resolutions printed in full when presented today by Mr. WALSH.)

The VICE PRESIDENT also laid before the Senate three petitions of sundry citizens of the State of Louisiana, praying for a senatorial investigation of alleged acts and conduct of Hon. HUEY P. LONG, a Senator from the State of Louisiana, which were referred to the Committee on the Judiciary.

He also laid before the Senate two memorials and several letters and telegrams in the nature of memorials of sundry citizens, all in the State of Louisiana, endorsing Hon. HUEY P. LONG, a Senator from the State of Louisiana, condemning attacks made upon him, and remonstrating against a senatorial investigation of his alleged acts and conduct, which were referred to the Committee on the Judiciary.

He also laid before the Senate a telegram from Walter B. Rheineck, of Romeville, La., setting out copy of a telegram to John M. Parker, of St. Francisville, La., relative to the action of certain Democratic Senators in voting to defeat President Roosevelt's inflation plan, etc., which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the Council of the City of Los Angeles, Calif., protesting against the use of the "pauper's oath" in connection with relief work, as a seemingly un-American practice, which was referred to the Committee on Banking and Currency.

He also laid before the Senate a petition of sundry citizens, being postal employees of Oklahoma City, Okla., praying for the passage of legislation providing for compulsory retirement of all classified Civil Service employees, upon the completion of 30 years' service, which was referred to the Committee on Civil Service.

He also laid before the Senate a memorial of the Philadelphia Freight Brokers, Forwarders, and Customs Brokers Association, of Philadelphia, Pa., remonstrating against the passage of legislation providing for mandatory retirement of civil employees of the Customs Service who have served for 30 years or more, which was referred to the Committee on Civil Service.

He also laid before the Senate a resolution adopted by the American Russian Institute, San Francisco, Calif., favoring the immediate recognition of the Soviet Government of Russia and the establishment of trade relations with that Government, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a letter from J. R. Edwards, of J. R. Edwards & Co., of Cincinnati, Ohio, calling attention to an alleged error in the securities bill now pending, on page 23, line 7, article D, under "Exemptions", relative to stock dividends, which was ordered to lie on the table.

Mr. KEAN presented a resolution adopted by Elizabeth Parcells Devoe Chapter, Daughters of the American Revolution, of Leonia, N.J., favoring the maintenance of the defense forces of the Nation, which was referred to the Committee on Appropriations.

Mr. CAPPER presented a memorial of members of the International Relations Club of McPherson College, McPherson, Kans., remonstrating against the passage of legislation providing for the construction of 30 warships and the expenditure of \$230,000,000 for that purpose, which was referred to the Committee on Naval Affairs.

Mr. WALCOTT presented letters and telegrams in the nature of memorials from Branch 47, of Bridgeport, and Branch 35, of New Haven, National Association of Postal Supervisors; the Subs Organization of the Post Office, of Bridgeport; the Federation of Federal Employees, of Hartford; and the Supervisors Association of the Post Office, of Hartford, all in the State of Connecticut, remonstrating against the passage of the 30-year compulsory retirement provision relating to Federal employees, which were referred to the Committee on Civil Service.

He also presented the petition of members of the Political Equality Club, of Meriden, Conn., praying for the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also presented a petition and papers in the nature of petitions from the League of Women Voters, of Westport; the Bridgeport Section, National Council of Jewish Women, of Bridgeport; members of the United Church of Bridgeport, and sundry citizens, all in the State of Connecticut, praying for the passage of legislation to prohibit the exportation of arms or munitions of war from the United States under certain conditions, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Veterans' Council, of Waterbury, Conn., protesting against cuts in appropriations for the Army and Navy, which was ordered to lie on the table.

Mr. COPELAND presented a resolution adopted by the Jackson Heights Community Council, of Queens County, New York City, N.Y., opposing the passage of the so-called "Federal home mortgage relief bill" in its present form, as not being adequate to meet the prevailing situation, which was referred to the Committee on Banking and Currency.

He also presented a resolution adopted by the Syracuse, N.Y., branch of the National Woman's Party, favoring the passage of the so-called "Copeland-Dickstein equal nationality bill", which was referred to the Committee on Immigration.

He also presented a resolution adopted by the Young Men's Board of Trade, of New York City, opposing the ratification of the Great Lakes-St. Lawrence Deep Waterway Treaty with Canada, which was ordered to lie on the table.

He also presented a resolution adopted by the Civic Association of Hollis Crest, Inc., of Hollis, L.I., N.Y., favoring the passage of legislation for the relief of small-home owners, which was ordered to lie on the table.

Mr. THOMAS of Oklahoma presented the following concurrent resolution of the Legislature of the State of Oklahoma, which was referred to the Committee on Appropriations:

STATE OF OKLAHOMA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, R. A. Sneed, secretary of state of the State of Oklahoma, do hereby certify that the following and hereto attached is a true copy of Enrolled Senate Concurrent Resolution No. 25, by Briggs, Stewart, MacDonald, and Nance, of the senate, and Henderson and Kight, of the house.

A resolution memorializing Congress, urging the passage by Congress of an act appropriating funds for Federal-aid highway construction, to be distributed among the various States of the Union for the relief and to provide work for the unemployed, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of State.

Done at the city of Oklahoma City this 28th day of April A.D. 1933.

[SEAL]

R. A. SNEED,
Secretary of State.

Senate Concurrent Resolution 25 (by Briggs, Stewart, MacDonald, and Nance, of the senate, and Henderson and Kight, of the house)

A resolution memorializing Congress, urging the passage by Congress of an act appropriating funds for Federal-aid highway construction, to be distributed among the various States of the Union for the relief and to provide work for the unemployed

Whereas the Congress of the United States now has before it for consideration certain measures designed to and providing for the appropriation of moneys to be distributed to the various States for the relief and to provide employment for the unemployed; and

Whereas among other things said acts contemplate the appropriation of a large sum of money for the construction of public improvement, including highways; and

Whereas under present existing conditions the greatest number of people in the history of the United States have no employment and are without means of earning and providing support for themselves and families; and

Whereas the conditions in the State of Oklahoma at the present time are more acute and distressful than ever in the history of said State, in that many thousands of heads of families have been and are without employment or the ability to find employment unless funds are made available to carry on public-improvement projects; and

Whereas the earning power of the citizenship of the State of Oklahoma has so depreciated until at the present time and for the past 2 years owners of taxable property are facing the loss of their property and homes by reason of their inability to pay the taxes and lift the mortgage burdens thereon; and

Whereas by reason of said conditions the collection of funds and revenues of the State of Oklahoma have fallen so far short of anticipated receipts that there are now outstanding and unpaid warrant obligations of the State and its various subdivisions aggregating more than \$40,000,000, and by reason thereof the banks of the State and Nation have evidenced their unwillingness to further invest funds in warrants, and the State has, therefore, found itself in a condition necessitating and requiring the legislature to make provision in some manner to relieve the said condition; and

Whereas in order to meet the demands in the administration of the affairs of the government the fourteenth session of the Oklahoma Legislature has been forced to divert a portion of its revenues to the payment of said outstanding unpaid warrant indebtedness by the passage of house bill no. 416 of the said Fourteenth Oklahoma Legislature, thereby reducing the amount of available funds with which to purchase materials and employ labor in the construction of highways; and

Whereas through the construction of highways under the supervision of the Bureau of Good Roads, Department of Agriculture, of the United States Government, the State of Oklahoma has heretofore greatly profited by reason of the improved type and class of construction necessarily required to meet Federal-aid specifications and establishing standards which has resulted in a higher and better type of highway construction, both as to State and Federal aid highways in this State; and

Whereas a continuation of said program is greatly desired on the part of the legislative branch of government, and in fact is deemed essential and necessary to the future welfare, convenience, and prosperity of the citizens of said State; and

Whereas it is the desire of the Senate and House of Representatives of the Fourteenth Legislature of the State of Oklahoma that highway construction continue under the supervision of the Federal Bureau of Good Roads, and with their cooperation, in order that the high standard of construction may be maintained, and is also essentially necessary to the prosperity of the State and the relief of the unemployed; and

Whereas although the State of Oklahoma through the aforesaid legislative act has diverted a portion of its highway revenues through apparent necessity, the same was enacted as a temporary measure and will be repealed and the funds thus diverted replaced at the earliest possible date; and

Whereas it is the desire of the Legislature of the State of Oklahoma that the State fully cooperate with the Congress of the United States and the Department of Agriculture, Bureau of Good Roads, in carrying on an extensive comprehensive program of construction of highways to relieve the unemployment and distressful financial condition in this State and other States as well: And for said reasons be it

Resolved by the senate (the house of representatives concurring therein), That the Congress of the United States is urgently requested to immediately pass the proposed Federal-aid construction appropriation bills and render available much-needed relief in the form of Federal-aid funds to be distributed to the various States in proportion to the needs and conditions; and be it further

Resolved, That Congress be urged to continue the policies of Federal supervision of the construction of all highway projects, whether under regular appropriation or emergency relief appropriation in order that the high standard of construction may be maintained and the funds thereby expended result in permanent and lasting improvement; and be it further

Resolved, That the terms and conditions for the distribution of said funds be so provided that the State of Oklahoma and other States which have been forced to temporarily divert a portion of its revenue from highway construction will not result in loss of Federal-aid funds, and that said funds be distributed under agreements equitably providing for future State fund replacements or expenditures in lieu thereof; and be it further

Resolved, That copies of this resolution be forwarded to each Senator and Member of the House of Representatives of United States Congress from Oklahoma, and that they be requested to cause the same to be exhibited in the permanent records of both branches of the Congress of the United States, and copies hereof be forwarded to the Secretary of Agriculture and to the Chief of the Bureau of Good Roads, of Washington, D.C., and that the

same be brought to the attention of the Honorable Franklin D. Roosevelt, President of the United States, by the forwarding of a copy thereof to the Secretary to the President.

Passed the senate the 21st day of April 1933.

Passed the house of representatives the 21st day of April 1933.

ROBERT BURNS,
President of the Senate.
S. H. SINGLETON,
Acting Speaker of the House of Representatives.

Correctly enrolled.

CLAUDE LIGGETT,
Chairman Committee on Engrossing and Enrolling.

RELIEF OF AGRICULTURE

Mr. THOMAS of Oklahoma. Mr. President, I present a concurrent resolution of the Legislature of the State of Oklahoma and ask that the title thereof may be read and the resolution referred to the Committee on Banking and Currency.

There being no objection, the resolution was referred to the Committee on Banking and Currency, and the title thereof was read, as follows:

Concurrent resolution memorializing Congress that it is the sense of the members of the Oklahoma Legislature that the Government of the United States should perform its solemn promise and place American agriculture on the basis of equality with other industries by providing an adequate system of credit, and that adequate legislation to that end should be adopted at the earliest possible date.

PROTECTION OF THE FISHING INDUSTRY

Mr. WALSH. Mr. President, I present and ask to have printed in the CONGRESSIONAL RECORD and appropriately referred resolution sent to me by the secretary of the Commonwealth of Massachusetts, urging protection and relief for the fishing industry.

There being no objection, the matter was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS,
OFFICE OF THE SECRETARY, BOSTON,
House of Representatives, April 26, 1933.

Ordered, That the House of Representatives of the General Court of Massachusetts respectfully represents to the President and the Congress of the United States the necessity of according to the fishing industry of this country reasonable tariff protection and such other protection and relief as may be necessary in order that said industry be preserved and the American standard of living for the workers engaged therein be maintained; and be it further

Ordered, That copies of this order be forwarded forthwith by the secretary of the Commonwealth to the President of the United States, the presiding officers of both branches of Congress, and to the Members thereof representing this Commonwealth.

Adopted.

FRANK E. BRIDGMAN, Clerk.

A true copy.
Attest:

F. W. COOK,
Secretary of the Commonwealth.

FITZSIMONS GENERAL HOSPITAL, ADAMS COUNTY, COLO.

Mr. COSTIGAN. Mr. President, the Senate of the State of Colorado recently adopted a memorial with reference to the proposed closing of Fitzsimons General Hospital in the vicinity of Denver. I ask that the memorial be printed in the RECORD and appropriately referred.

There being no objection, the memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 18 (by Senator Houston and Representative Rogers)

Whereas it has been brought to the attention of the general assembly that the War Department of the United States, acting under authority of a recent act of Congress, is contemplating the transfer of many patients now receiving hospitalization and medical treatment at the Fitzsimons General Hospital, located at Aurora, Adams County, Colo., to other smaller Government hospitals located in various parts of the United States; and

Whereas such action would, if carried out as now contemplated by the War Department, result in a very substantial decrease in the number of patients cared for at said Fitzsimons General Hospital and would further result in a substantial reduction of the military and civilian personnel employed at said general hospital; and

Whereas the removal of said patients to other smaller Federal hospitals would, in all probability, result in the effecting of no economies in the carrying on of the work of hospitalization and medical treatment of ex-service men entitled thereto, but, on the contrary, such action would probably result in increased cost to

the Federal Government in the carrying on of such work, for the reason that the overhead expenses of such smaller institutions would necessarily be increased in a greater amount than the overhead expenses of said Fitzsimons General Hospital would be reduced as the result of such transfer of patients; and

Whereas the patients now being hospitalized and treated at said Fitzsimons General Hospital ought not, in justice, to be removed therefrom to hospitals in other parts of the country, for the reason that because of the equable and salubrious climate of Colorado said general hospital is more advantageously located for the treatment of diseases and ailments than any other Federal hospital in the United States and the removal of said patients to other hospitals where the climate is less favorable as a curative agent would be highly unjust to said patients; and

Whereas in reliance upon the location of said Fitzsimons General Hospital as a permanent institution in Adams County, Colo., various industries, such as dairying, merchandising and dealing in hospital supplies, have been established, enlarged, and stimulated in the vicinity of said hospital and in the city and county of Denver, and the decimation of the patients and personnel of the said hospital would result in the serious impairment of the local market for such products and supplies to the detriment of a large number of citizens of said vicinity and of the city of Denver; and

Whereas the site for said general hospital was donated to the Federal Government by public subscriptions of many thousands of dollars furnished by the citizens of Denver and of other parts of Colorado upon the representation by the Federal Government and upon the expectation on the part of said citizens that said general hospital would be established and equipped for the care and treatment of 1,100 or 1,200 patients and would remain as a permanent institution upon the site so donated, and the removal of a substantial number of said patients now at said hospital and the consequent substantial reduction of the activities thereof would be a breach of faith upon the part of the Federal Government with the people of Colorado, who furnished such site for its establishment: Now, therefore, be it

Resolved by the General Assembly of the State of Colorado, That in behalf of the patients now being treated at said general hospital and in behalf of the citizens of this State, especially whose property rights and interest would be gravely jeopardized by the contemplated action of the War Department as above set forth and in behalf of the citizens of Aurora, and of Denver, Colo., and of the State generally, protest be hereby made to the President of the United States and to the Secretary of War against the transfer of patients from said hospital to other hospitals and against any substantial reduction of any personnel, military or civil, at said general hospital, and that certified copies of this resolution of protest be forwarded to the President of the United States, the Secretary of War, the Surgeon General of the United States Army, and to the Senators and Representatives of Colorado in the Congress of the United States.

CURRENCY AND MONETARY CONTROL

Mr. CAPPER. Mr. President, I ask consent to have printed in the RECORD a letter from the National Grange and American Farm Bureau headquarters, urging the next step in currency and monetary control in the public interest.

It is my judgment that the administration and the Congress have taken the right step in providing for a controlled inflation at this time. But even more important is a permanent monetary control—such as Congress is expected to exert under the provisions of the Constitution to regulate the value of money—to insure a stable ratio between the dollar and the general commodity price level.

These alternating periods of inflation and deflation work a great injury to the great mass of our people. Periods of inflation work an injustice to creditors, to those who are thrifty and invest their savings. Periods of deflation ruin the producers and workers.

It is my judgment that after the dollar finds a level as the result of the controlled inflation in prospect, we then should proceed to create the necessary machinery, Government controlled, to stabilize the purchasing power of the dollar. I send the letter to the desk for printing in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., April 28, 1933.

To the Members of Congress:

No greater service could be rendered America at this critical time than to restore the purchasing power of our dollar to a level which will enable debtors to pay back the exact number of dollars they have borrowed, and then stabilize it at that point. The fluctuating value of the dollar is largely responsible for the tragic conditions confronting our people.

The lack of confidence, the fear, and the confusion of thought which make normal business revival impossible, are largely due to uncertainty as to what the purchasing power of the dollar will be a month or a year from today. This Congress can solve the problem.

The President's courageous program for inflation is the first step. Of even greater importance is the need for controlling and stabilizing the value of the dollar.

This can be done simply, accurately, and constitutionally by adding to the President's constructive proposals the stabilizing features of the Goldsborough bills, H.R. 5073 and 5160.

The whole Nation is demanding monetary stability. Debtors must have an honest means of meeting their debts without losing their all through bankruptcy. Finance requires stability before sound credit can again become available. Agriculture, labor, and business are dependent upon the stability of the purchasing power of the dollar for their very existence.

Congress should seize this opportunity to establish a stable and accurate medium of exchange, and thereby confer upon the country benefits of lasting and immeasurable worth.

Very respectfully,

THE NATIONAL GRANGE,
A. S. Goss,

Chairman Executive Committee.
AMERICAN FARM BUREAU FEDERATION,
EDW. A. O'NEAL, President.

FUNERAL EXPENSES OF THE LATE SENATOR HOWELL

Mr. BYRNES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate Resolution 26, and I ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 26), submitted by Mr. McNARY on March 14, 1933, was read, considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Robert B. Howell, late a Senator from the State of Nebraska, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

EXECUTIVE REPORT OF THE JUDICIARY COMMITTEE

As in executive session,

Mr. DILL, from the Committee on the Judiciary, reported favorably the nomination of Charles Wyzanski, Jr., of Massachusetts, to be Solicitor of Labor, to succeed Theodore G. Risley, which was ordered to be placed on the Executive Calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 1548) for the relief of Harry Flanery; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 1549) for the relief of Lt. Col. Harry Walter Stephenson, United States Army, retired; to the Committee on Military Affairs.

By Mr. BACHMAN:

A bill (S. 1550) granting a pension to Rue S. Jackson; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 1551) granting a pension to Lemuel T. Wilson; to the Committee on Pensions.

By Mr. DICKINSON and Mr. CLARK:

A bill (S. 1552) to amend the provisions of the Revenue Act of 1932 relating to the tax on gasoline; to the Committee on Finance.

By Mr. THOMAS of Oklahoma:

A bill (S. 1553) for the relief of John Hamilton; to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 1554) to promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this act, and for other purposes; to the Committee on the District of Columbia.

By Mr. THOMAS of Oklahoma:

A joint resolution (S.J.Res. 47) conferring upon the United States District Court for the Eastern District of Oklahoma the power to retain jurisdiction and to hear, try, and give judgment in case no. 6091 law, entitled "*Charles*

Pope Hollingsworth v. United States of America"; to the Committee on Finance.

By Mr. SHEPPARD:

A joint resolution (S.J.Res. 48) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China; to the Committee on Military Affairs.

DISTRIBUTION OF GRAIN BY AMERICAN NATIONAL RED CROSS

Mr. HAYDEN. Mr. President, I introduce a joint resolution to authorize the purchase of grain and grain products for distribution by the American National Red Cross for the relief of distress, and I ask that it may be printed in the RECORD and referred to the Committee on Banking and Currency.

The joint resolution (S.J.Res. 49) to authorize the purchase of grain and grain products for distribution by the American National Red Cross, for relief of distress, was read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Resolved, etc., That the Reconstruction Finance Corporation is authorized to make available out of the funds of the Corporation not to exceed \$40,000,000 to be used by the Federal Emergency Relief Administrator, in his discretion, for the purchase of grain or grain products, which shall be delivered to the American National Red Cross to be used for the purposes and in the manner provided with respect to wheat and the products thereof in the joint resolution entitled "Joint resolution authorizing the distribution of Government-owned wheat and cotton to the American National Red Cross and other organizations for relief of distress", approved July 5, 1932, the actual costs of processing, distribution, and administration to be paid out of amounts made available pursuant to this section. The amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered, under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time is increased by \$40,000,000.

PLANNING IN INDUSTRY BY PERMITTING COOPERATION

Mr. WALSH. Mr. President, I am introducing a bill to encourage planning in industry by permitting controlled cooperation and protecting agriculture, labor, and consumers and to supplement the powers of the Federal Trade Commission.

During the debates upon the Sherman Act, Senator Sherman stated that his proposed bill would not apply to agricultural organizations or to labor. The courts subsequently disagreed with Senator Sherman.

When Congress adopted the Clayton Act, it believed that section 6 of that law exempted labor, agricultural, and horticultural organizations, but again the provision was not sufficiently clear to effect this purpose.

In the Capper-Volstead Act, Congress granted to agricultural cooperative marketing associations a partial exemption from the antitrust laws, coupled with governmental supervision of prices.

The purchasing power of farmers and labor must be restored, and for this purpose their right to collective bargaining must be fully recognized, and I have therefore endeavored to provide for the full exemption of agriculture and labor from the antitrust acts so as to enable them to hold their own with industry.

The anti-injunction bill was enacted by the last Congress because of its recognition of the fact that industry was unduly oppressing labor through the use of injunctions and the use of "yellow dog" contracts. I have provided in this bill that industrial units entering into permitted cooperative agreements must not use "yellow dog" contracts and must abrogate all existing ones.

In addition to the above provisions for the protection of agriculture and labor, the bill contains the following features:

First, Cooperative agreements in aid of economic planning may be filed with the Federal Trade Commission and may be approved after a hearing, if they are reasonable and economically sound and will not result in a selling price of the goods or commodities affected thereby in excess of a fair and reasonable price based on all fair and reasonable items of cost plus a fair and reasonable profit, taking into

consideration the necessity of a fair and reasonable compensation to producers and distributors of average ability and efficiency and to labor, and will not depress wages or conditions of employment of labor or prices of agricultural products or raw materials, and will not result in oppression of competitors, labor, or producers of agricultural products or raw materials.

Second. The Commission shall retain jurisdiction over the subject matter of such cooperative agreements and over the persons entering into them, and a procedure is provided for the revocation of the approval.

Third. Full publicity for all proceedings is provided.

Fourth. The definition of "unfair methods of competition" and "unfair trade practices" is clarified and amplified.

Fifth. Trade-practice conferences are legalized.

Sixth. Penalties are provided for noncompliance with the orders of the Commission.

Seventh. The procedure before the Commission is generally amplified and clarified, and the number of Commissioners is increased from 5 to 9, to enable the Commission to handle its enlarged functions.

The bill does not contemplate governmental price-fixing of goods or commodities but recognizes that exorbitant prices and oppressive practices must not be permitted, and permits the approval of agreements voluntarily entered into, subject to governmental supervision, over the reasonableness of the prices to be charged and the practices to be resorted to.

I believe that this measure, if enacted, will give to honest industry the necessary privilege of cooperation and will at the same time protect the public and preserve the full intent and purpose of the antitrust laws, merely substituting cooperation in place of competition as the means to be used to accomplish the goal of reasonable selling prices for manufactured commodities without depressing the purchasing power of agriculture, labor, and consumers.

The bill (S. 1555) to encourage planning in industry by permitting controlled cooperation and protecting agriculture, labor, and consumers and to supplement the powers of the Federal Trade Commission, was read twice by its title.

Mr. WALSH. I move that the bill be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. WALSH. Mr. President, I ask that a statement explaining a somewhat similar bill introduced at the last session may be printed in the RECORD.

There being no objection, the statement submitted by Mr. WALSH was ordered to be printed in the RECORD, as follows:

[CONGRESSIONAL RECORD, Jan. 25, 1932, p. 2605]

STATEMENT EXPLAINING THE BILL S. 3256

This bill is a complete amendment and amplification of the Federal Trade Commission Act in line with the almost universal demand as expressed by industrial organizations, by the Chamber of Commerce of the United States, and by the American Bar Association, and also in the President's message to Congress; but goes beyond most other suggestions in that it gives full protection to the public, declaring that the public interest requires fair compensation to producers and labor and a fair price to consumers.

The major features of the bill are:

First. Federal Trade Commission is empowered to give advance approval of cooperative contracts for curtailment of production and for other acts to avoid ruinous competition.

Second. The public is protected by prevention of unfair prices through such approved contracts.

Third. The antitrust laws are not repealed, but exemption is granted to approved acts. Approved contracts are declared legally enforceable.

Fourth. Approval to be revoked if it leads to unfair prices or is otherwise no longer in the public interest or if approval is secured by misrepresentation. Exemption from antitrust laws terminates upon revocation of approval.

Fifth. Penalty similar to penalty in Interstate Commerce Commission Act is provided for noncompliance with Commission's orders.

Sixth. Definition of unfair methods of competition and unfair trade practices is clarified and amplified.

Seventh. Trade-practice conferences are legalized.

Eighth. Power of Commission to conduct investigations is enlarged.

The bill also generally amplifies and clarifies the procedure before the Commission.

The bill is introduced in response to the almost universal demand for the stabilization of industry so as to enable producers to earn a fair profit and to pay fair wages to labor and to charge fair prices to consumers, without the hindrance of cutthroat competition, which industry claims has been imposed upon it by the antitrust laws.

The President in his message to Congress said, "In my message of a year ago I commented on the necessity of congressional inquiry into the economic action of the antitrust laws. There is wide conviction that some change should be made, especially in the procedure under these laws. I do not favor their repeal. Such action would open wide the door to price fixing, monopoly, and destruction of healthy competition."

This bill does not repeal the antitrust laws. These laws are left in full force, as they must be in order to prevent price fixing and monopoly to the detriment of the public.

Chambers of commerce and other industrial organizations have demanded advance Government approval of contracts for curtailment of production and for other acts to avoid ruinous competition, basing their demand on the proposition that under existing laws such contracts are prohibited and that this prohibition has led to overproduction in all lines of industry, which in turn has resulted in this depression with its accompaniment of unemployment, starvation, misery, and suffering.

The bill permits such advance approval by the Federal Trade Commission of contracts to curtail production, as well as many other forms of contract that may be necessary to the complete stabilization of industry, provided such contracts are in the public interest.

Industry admits that these contracts will replace competition by cooperation, and it is possible that in some instances these contracts might destroy healthy as well as unhealthy competition.

If my proposal contained nothing beyond the provision for such advance approval of cooperative contracts, it would "open wide the door to price fixing and monopoly", just as effectively as would the complete repeal of the antitrust laws.

This cannot be risked. The public interest demands fair prices to all. The public as producers must receive a fair compensation and as consumers must be able to purchase goods at fair prices. Neither excessively low nor excessively high prices are in the public interest. Both extremes are equally bad. My bill therefore states that the public interest requires a fair and reasonable compensation to producers of average ability and efficiency, and to labor, and a fair price to consumers, and forbids the use of an approved contract for the purpose of enhancing prices beyond a fair and reasonable price based on all fair and reasonable items of cost plus a fair profit.

The bill grants exemption from the antitrust laws to all approved contracts and all acts performed pursuant thereto, and makes such approved contracts legal and enforceable. It provides, however, for the revocation of the approval if prices are enhanced beyond cost and a fair profit, or if the contract is no longer in the public interest or if the parties misrepresented the facts upon their application for approval, and in case of revocation of approval, the exemption from the antitrust laws is lost.

To make the Commission more effective, a penalty for non-compliance with its orders is provided, similar to the penalty contained in the Interstate Commerce Commission Act; the definition of unfair methods of competition and unfair trade practices is clarified and amplified; trade practice conferences are expressly legalized; and the power of the Commission to conduct investigations is enlarged.

The bill also provides for the increase of the Federal Trade Commission from 5 to 9 members so as to enable it to handle its enlarged functions, and the Commission is authorized to divide itself into 3 divisions of 3 members each in the same manner as the Interstate Commerce Commission, each division to have the full powers of the board. In my opinion, this and the other changes of procedure which I have made will serve to expedite the work of the Commission and generally make it a more efficient instrument for the welfare of industry.

This bill does not contemplate compulsory Government regulation of prices of goods or commodities, but will check those industries which voluntarily apply for Government approval of contracts that might be prohibited by the antitrust laws; and these industries must, in return, agree to submit to Government jurisdiction over the reasonableness of the prices to be charged by them, so as to protect the public against unreasonably excessive prices.

In brief, realizing that industry cannot be stabilized by congressional edict, the bill permits industry to stabilize itself through cooperative agreements, and at the same time protects the public against the extortionate practices of monopolies.

DEVELOPMENT OF THE TENNESSEE VALLEY—AMENDMENTS

Mr. LOGAN submitted an amendment and Mr. BANKHEAD submitted two amendments intended to be proposed by them, respectively, to Senate bill 1272, the Tennessee Valley development bill, which were ordered to lie on the table and to be printed.

UNEMPLOYMENT RELIEF—AMENDMENT

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States

and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes, which was ordered to lie on the table and to be printed.

**PURCHASE OF INSURANCE COMPANY STOCK AND BONDS—
AMENDMENT**

Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies, which was ordered to lie on the table and to be printed.

PETROLEUM PRICES

Mr. THOMAS of Oklahoma submitted a resolution (S. Res. 64, with accompanying papers), which was referred to the Committee on the Judiciary, as follows:

Resolved, That Senate Resolution 339, agreed to on February 25, 1933, be, and the same is hereby, amended by adding the following to the end of such resolution: "(10) The Commission is hereby further directed to report particularly whether any of the practices heretofore in this resolution stated or facts disclosed in pursuance of this resolution relate to or constitute violation of the Federal antitrust laws."

ALCOHOL MANUFACTURED FROM CORN, ETC.

Mr. SHIPSTEAD submitted a resolution (S. Res. 65), which was ordered to lie on the table, as follows:

Resolved, That the Secretary of Agriculture is hereby requested to investigate, through the agencies of the Bureaus of Agricultural Economics, Chemistry and Soils, and Agricultural Engineering of the Department of Agriculture, the practicability and advantages to agriculture of using alcohol, manufactured from corn and other farm products, in motor fuel, and to report thereon to the Senate as soon as possible.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

CHILD LABOR

Mr. COSTIGAN. Mr. President, the emancipation of children from the serfdom of excessive toil is one of the unfinished tasks of civilization. In yesterday's Philadelphia Record, Frances Perkins, our fine Secretary of Labor, in a timely and impressive article on the subject of child labor, reaffirmed her support of that splendid cause—in part, by State action; in part, through ratification of the proposed amendment to the Federal Constitution. I ask leave to have the article of Secretary Perkins printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPEEDY ACTION URGED—SECRETARY OF LABOR DECLARES DEPRESSION OFFERS OPPORTUNITY TO ERASE EVILS

By Frances Perkins, Secretary of Labor

A new belief that child labor may soon be eradicated from American industry has arisen from the economic depression.

With millions of adults unemployed, there is no need for young children to become wage earners. Public opinion cries out against employing them as it never has before, demanding that what few opportunities exist in gainful occupations be given to adult breadwinners.

Thus the movement to protect children against premature entrance into industry and to safeguard them in their first year or two of contact with it, which has been gaining momentum steadily through two decades, has received unexpected impetus. Today it is not only the socially minded person who says "Children ought not to work" but also the adult who covets the child's job.

ONLY ONE "DEFENSE"

Virtually the only honest voice raised in defense of the theory of child labor is that of the person who sees the child as the sole breadwinner of his family, and who argues that it is better for him to be earning a meager wage than for his parents and brothers and sisters to starve.

It would be far better to keep children under 16 out of employment entirely and to acknowledge a social responsibility for the maintenance of the families dependent upon them. Thus we should at least take the burden from those least able to bear it, and we might also reduce to a considerable extent the postponed costs which the present exploitation of adolescent workers is piling up against the future.

Child labor has been steadily decreasing since 1929, just as have all other forms of labor. Although there were still 2,000,000 children gainfully employed in 1930, at the time of the last census, the number has decreased since that date.

ASSURANCE IS NEEDED

However, unless preventive legislation is adopted throughout the country, it is by no means certain that when business picks up again many of these children will not go back to work.

In the past the employment of children has always paralleled the employment of adults, showing corresponding peaks and troughs from year to year as business fluctuated.

There is, moreover, a reverse side to this seemingly pleasant picture of declining employment among children. While the total numbers decrease, there is an increasing demand for child labor in certain lines of manufacturing, in the "fly-by-night" industries and sweatshops, which have sprung up as a by-product of the depression and contribute to the general breakdown of industrial standards.

Children have been driven into street trades, into industrial work, domestic and personal service, and industrialized agriculture, the very trades where conditions are most often undesirable and where, because they are unregulated, opportunities exist for serious exploitation.

In some Southern States, where the industrial crisis was not felt so promptly as in the North, there was an actual increase in the number of children under 16 reported at work in 1930 as compared with 1920. South Carolina, for example, showed an increase of 29 percent, Florida, 7 percent, and Georgia, 2½ percent.

The number of children under 16 in manufacturing industries, according to the census, had decreased by 63 percent since 1920, but the number of children in trade had decreased only 20 percent and in domestic and personal service only 15 percent.

INCREASE NOTED HERE

In many cities, such as New York, Detroit, Chicago, and Philadelphia, there has been of late a very large increase in the number of boys and girls employed as waiters and servants.

Most of the opportunities for children of 14 or 15 are today in domestic service, in canvassing, and in types of manufacture where the breakdown of standards is general. The latter, in fact, are responsible for figures in some northern cities showing actual increases in the number of child workers since 1929.

In the more desirable occupations, such as those of clerical workers, apprentices, and clerks, there has been a consistent decline. Apprenticeship figures for Wisconsin, the only State which has a supervised system of apprenticeship, show only 73 new indentures in trade in 1931 as compared with 755 in 1929.

STANDARDS ASSAILED

And in the States where a high standard of child protection exists by law there has been great pressure to break down standards. The actual need for profits, however small, have deflated wages and led to violation of age and hour standards, while at the same time budgets for factory inspections and the enforcement of child labor laws have necessarily been cut.

In certain industrial localities, especially those where the garment trades flourish, a return to sweatshop conditions, reviving the notorious evils of a past generation, has been widely deplored.

The Massachusetts Minimum Wage Commission, for example, last spring learned that 10 cents an hour, and in one case 5 cents an hour, were paid to girl workers in Fall River, and that hundreds were earning less than \$5 a week.

SITUATION IN STATE

From another source we learn that nearly half the children under 16 were earning less than \$3 a week in the clothing factories of Pennsylvania, and that more than a fifth were earning less than \$2. In Scranton the median wage for a group of 14- and 15-year-old children was \$4.94 for boys and \$4.20 for girls.

Conditions are worse in the so-called "contract shops", but these in turn threaten the employers of good intention who see their business imperiled by the competition of unscrupulous rivals, and thus the whole industrial fabric is endangered.

Another class of occupation which causes grave concern is the commission job for boys, involving house-to-house canvassing, with the recitation of hard-luck stories in which they have been secretly coached. Domestic service is in some localities about the only work available to juveniles, but the New York Junior Placement Service in February refused to fill two thirds of the positions because of unsuitable conditions of wages and environment.

HEALTH IS MENACED

The menace to child health in this substandard employment adds another element of danger to the unwholesome picture. For children already suffering from malnutrition resulting from a lowered economic standard in the home, employment under such conditions may mean a sacrifice of vitality for the remainder of their lives and an additional burden on the Public Treasury. Yet in many towns no adequate physical examination is linked with the issuance of work papers.

The value of such examinations is demonstrated statistically in reports from Philadelphia, where in 1930 and 1931, before the depression had undermined the health of growing children, the number of 14- and 15-year-old boys and girls refused permits for reason of ill health was only one fifth of the total. By 1932 one third were not allowed to go to work because of poor physical condition.

Granted, then, that the time is ripe for more decisive action in the fight against child labor, the problem arises as to the best method to be pursued, and to this question child-labor authorities are at this moment giving their most careful attention.

AMENDMENT HAS VIGOR

The Federal child-labor amendment shows more vigor than it has for several years, and there is increasing sentiment in the separate States for the establishment of local legislative safeguards for their children.

The child-labor amendment was first accepted by Congress in 1924, after the second Federal child-labor law had been declared unconstitutional on the ground that it was an "infringement upon the reserved rights of the States." This proposed amendment to the Constitution reads:

"The Congress shall have power to limit, regulate, and prohibit the work of persons under 18 years of age."

SPEEDILY RATIFIED

The amendment was ratified almost immediately by five States—Arkansas, Arizona, California, Montana, Wisconsin—and in 1931 Colorado ratified the amendment. Then action by the States came to a standstill. Within the last few months, however, it has been ratified suddenly by four more—North Dakota, Ohio, Oregon, and Washington—by legislators spurred to new concern for public welfare and that children should not work while grown men walk the street.

Ten States have now ratified and ratification resolutions have been introduced in as many more. Favorable votes must be obtained from 26 more, and here the friends of the amendment run up against the practical difficulty that most of the 1933 legislatures are on the point of adjourning or already have done so, and that the majority will not meet again for 2 years, unless summoned in special session.

Public indignation against the exploitation of the child laborer under the cloak of the depression was focused in the conference last winter, called together by the Children's Bureau of the Department of Labor at the request of the president of the American Federation of Labor, and attended by representatives of the National Association of Manufacturers, the American Legion, and leading religious, educational, and civic-minded women's groups.

JOBS FOR ADULTS ONLY

This conference expressed its common belief that "in the economic crisis every available job should be given to an adult, in the interest of both the child and adult", and recommended the enactment of new State standards during the year's sessions of the various State legislatures.

The standards recommended were: 16 years as the basic minimum age for employment; 16 and 17 the "regulated" period; working hours for minors shorter than those allowed adults, but never exceeding 8 hours a day, and a minimum wage established for workers under 18, with double compensation allowed for injuries to minors under 18 in extrahazardous occupations.

In the hope that public opinion would respond to their call and that the necessary laws would be passed, the organizations represented at the conference agreed to work for adoption of these standards by the various State legislatures.

Utah was the only State in which the 16-year minimum age bill for employment was passed, although it was introduced in nine States, and in a dozen others there were similar measures looking toward the reduction of hours for child laborers.

ONLY TWO PASSED

Bills providing for minimum wages for minors and women, or for minors alone, were before the Legislatures of Connecticut, New Hampshire, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, Texas, and Utah, but so far New York and Utah are the only States in which such bills have been passed. Indiana passed a law granting double compensation to illegally employed minors.

This movement, thus hopefully begun, must be stimulated in the months to come, and public opinion, newly sensitive to the deplorable conditions surrounding the child workers, must not be allowed to sink into apathy.

Fortunately we have a leader to whom we look continuously for inspiration and example—Grace Abbott, Chief of the Children's Bureau, who for 15 years has been working untired and undiscouraged in defense of the Nation's children.

FIRST FEDERAL JOB

Her first Federal service was as Director of the Child Labor Division of the Children's Bureau, in which she was responsible for the administration of that first Federal child labor law, which forbade the interstate transportation of the products of child labor made in violation of Federal standards. This law and its successor were declared unconstitutional, thus leading to the passage of the proposed constitutional amendment.

In 1921 Miss Abbott became Chief of the Children's Bureau, and under her direction its services to parents, to children's agencies and institutions, and to State child-welfare departments have been invaluable, while day and night she has called attention to the evils of child labor and the necessity of safeguarding the health and the general welfare of the Nation's children, confident that, in the words of Theodore Roosevelt, who first urged upon Congress creation of the bureau she now heads, "Public sentiment, with its great corrective power, can only be aroused by full knowledge of the facts."

HOUSE BILL REFERRED

The bill (H.R. 5240) to provide emergency relief with respect to home-mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied

by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States, and for other purposes, was read twice by its title and referred to the Committee on Banking and Currency.

THE CALENDAR

The VICE PRESIDENT. Morning business is closed. The calendar under rule VIII is in order.

ALASKAN BOARD OF ROAD COMMISSIONERS

The bill (S. 743) to amend the act approved June 30, 1932, entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the Board of Road Commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 3 of the act approved June 30, 1932 (ch. 320, 47 Stat. 446; U.S.C., supp. VI, title 48, sec. 321c), is amended by adding at the end thereof the following:

"Any person who shall violate any of the provisions of the rules and regulations established hereunder shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be fined in a sum not exceeding \$100 or be imprisoned for a period not exceeding 30 days, or both, and be adjudged to pay all costs of the proceedings."

DESERT-LAND ENTRIES

The bill (S. 157) to amend an act approved March 4, 1929 (45 Stat. 1548), entitled "An act to supplement the last three paragraphs of section 5 of the act of March 4, 1915 (38 Stat. 1161), as amended by the act of March 21, 1918 (40 Stat. 458)", was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved March 4, 1929 (45 Stat. 1548), entitled "An act to supplement the last three paragraphs of section 5 of the act of March 4, 1915 (38 Stat. 1161), as amended by the act of March 21, 1918 (40 Stat. 458)", be amended to read as follows:

"That where it shall be made to appear to the satisfaction of the Secretary of the Interior with reference to any lawful pending desert-land entry made prior to July 1, 1925, under which the entryman or his duly qualified assignee under an assignment made prior to the date of this act has in good faith expended the sum of \$3 per acre in the attempt to effect reclamation of the land, that there is no reasonable prospect that he would be able to secure water sufficient to effect reclamation of the irrigable land in his entry or any legal subdivision thereof, the Secretary of the Interior may, in his discretion, allow such entryman or assignee 90 days from notice within which to pay to the register of the United States land office 25 cents an acre for the land embraced in the entry and to file an election to perfect title to the entry under the provisions of this act, and thereafter within 1 year from the date of filing of such election to pay to the register the additional amount of 75 cents an acre, which shall entitle him to a patent for the land: *Provided*, That in case the final payment be not made within the time prescribed the entry shall be canceled and all money theretofore paid shall be forfeited."

STOCK-RAISING HOMESTEADS

The bill (S. 604) amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454), was announced as next in order.

Mr. KING. Mr. President, I ask for an explanation of the bill.

Mr. CAREY. Mr. President, the bill has the approval of the Department of the Interior. A similar bill was passed during the last session of the Congress. It provides that, with the approval of the Secretary of the Interior, homesteads may be filed on lands upon which the production of oil has been reduced to a small quantity. We have one field in particular in Wyoming where there is a very limited production of oil, and the thought was that it would be well if the homestead entries were permitted to be made upon such lands. It is wholly discretionary with the Secretary of the Interior.

Mr. KING. Will this in any manner interfere with the titles heretofore obtained by those who have entered upon the public domain?

Mr. CAREY. No; it simply permits the filing of homesteads for surface rights.

Mr. KING. Is it a recognition of the right of the Federal Government to retain the mineral deposits beneath the surface and to lease the surface?

Mr. CAREY. It relates only to the surface rights.

Mr. KING. Is it to apply to all public domain not otherwise entered?

Mr. CAREY. It would apply, but my purpose in introducing it was to take care of a situation in Wyoming, where there is a field from which there is a very small production of oil. The people who live there have almost ceased to operate the wells, and we thought it advisable that homestead entries be permitted upon those lands.

Mr. KING. Is it limited in its operation to the State of Wyoming?

Mr. CAREY. No; it is a general bill.

Mr. KING. I have had no opportunity to examine the bill.

Mr. CAREY. It is not limited to the State of Wyoming.

Mr. KING. I shall not object, but if upon examination I feel that there should be some further consideration, I shall ask the Senator to consent that it may be restored to the calendar for that purpose.

Mr. CAREY. That is satisfactory.

Mr. McKELLAR. Mr. President, may I ask the Senator from Wyoming a question?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Tennessee?

Mr. CAREY. Certainly.

Mr. McKELLAR. The second proviso of the bill reads:

That for the purposes of this section, lands withdrawn or reserved solely as valuable for oil or gas shall not be deemed to be appropriated or reserved.

Does that mean the homesteading of the lands would carry the oil rights except as to naval reserves?

Mr. CAREY. It has nothing to do with the naval reserves.

Mr. McKELLAR. I know it has not under the other proviso, but under the particular proviso which I have read does it mean that it carries oil and gas with the homestead rights?

Mr. CAREY. No; not those rights. It simply relates to the surface rights.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454), be amended to read as follows:

"From and after December 29, 1916, it shall be lawful for any person qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding 640 acres of unappropriated unreserved public lands in reasonably compact form: *Provided, however,* That the land so entered shall theretofore have been designated by the Secretary of the Interior as 'stock-raising lands': *Provided further,* That for the purposes of this section lands withdrawn or reserved solely as valuable for oil or gas shall not be deemed to be appropriated or reserved: *Provided further,* That the provisions of this section shall not apply to naval petroleum reserves and naval oil-shale reserves: *And provided further,* That should said lands be within the limits of the geological structure of a producing oil or gas field entry can only be allowed, in the discretion of the Secretary of the Interior, in the absence of objection after due notice by the lessee or permittee, and any patent therefor shall contain a reservation to the United States of all minerals in said lands and the right to prospect for, mine, and remove the same."

LAND GRANTS IN WYOMING

The bill (S. 313) to amend section 5 of the act approved July 10, 1890 (28 Stat. 664), relating to the admission into the Union of the State of Wyoming, was considered. The bill had been reported from the Committee on Public Lands and Surveys with an amendment, on page 2, line 4, to strike out "5" and insert "10", so as to make the bill read:

Be it enacted, etc., That section 5 of the act approved July 10, 1890 (28 Stat. 664), be, and the same is hereby, amended to read as follows:

"That all lands herein granted for educational purposes shall be disposed of only at public sale, the proceeds to constitute a per-

manent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the legislature shall prescribe, be leased for mineral, grazing, agricultural, or other purposes, provided that the term of agricultural and grazing leases shall not exceed 10 years; mineral leases, including leases for exploration for oil and gas and the extraction thereof for a term not longer than 10 years; and leases for the development of hydroelectric power for a term not longer than 50 years; and such land shall not be subject to preemption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only."

Sec. 2. Anything in the said act approved July 10, 1890, inconsistent with the provisions of this act is hereby repealed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSPENSION OF ASSESSMENT WORK ON MINING CLAIMS

The bill (S. 7) providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska was considered. The bill had been reported from the Committee on Mines and Mining with an amendment, on page 2, line 1, after the numerals "1933", to insert:

Provided, That the provisions of this act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1932: *Provided further,* That every claimant of any such mining claim, in order to obtain the benefits of this act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock m. July 1, 1933, a notice of his desire to hold said mining claim under this act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1932.

So as to make the bill read:

Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States, including Alaska, during the year beginning at 12 o'clock m. July 1, 1932, and ending at 12 o'clock m. July 1, 1933: *Provided,* That the provisions of this act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1932: *Provided further,* That every claimant of any such mining claim, in order to obtain the benefits of this act, shall file or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock m. July 1, 1933, a notice of his desire to hold said mining claim under this act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1932.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BOND AND STOCK PURCHASES BY RECONSTRUCTION FINANCE CORPORATION

The bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies was announced as next in order.

Mr. ROBINSON of Indiana. Mr. President, this measure is entirely too important to pass in this fashion. It provides for an appropriation of \$100,000,000. While I dislike to object to anything offered by my friend the Senator from Florida [Mr. FLETCHER], I will ask that the bill may go over, in order that it may be debated to some extent.

Mr. FLETCHER. Mr. President, we are not passing bills by unanimous consent. One objection does not carry the bill over.

The VICE PRESIDENT. Under the rule, it requires unanimous consent to consider a bill. A motion is in order to take it up notwithstanding the objection.

Mr. FLETCHER. Very well; I move that the bill be taken up for consideration, if that is necessary. I do not understand, however, that we are proceeding under unanimous consent.

Mr. McNARY. Mr. President, we are not proceeding under a unanimous-consent agreement. If objection is made, the bill goes over; but the Senator can move at this particular time to proceed to its consideration.

The VICE PRESIDENT. The Senate is calling the calendar under rule VIII. Where there is no objection, the bill may be considered and passed. If there is objection, any Senator may move to proceed to its consideration.

Mr. FLETCHER. Then I move to proceed to the consideration of the bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Florida to proceed to the consideration of the bill.

The motion was rejected.

The VICE PRESIDENT. The bill will be passed over.

BILL INDEFINITELY POSTPONED

The bill (S. 1110) to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to amend and supplement the Federal Farm Loan Act, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, was announced as next in order.

Mr. McNARY. Let the bill go over.

Mr. WAGNER. Mr. President, the text of the bill has become a part of the so-called "farm bill." I therefore ask that consideration of the bill be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

THE WHALING INDUSTRY

The joint resolution (S.J.Res. 15) extending to the whaling industry certain benefits granted under section 11 of the Merchant Marine Act, 1920, was announced as next in order.

Mr. CLARK. Mr. President, I ask that the bill go over.

Mr. McNARY. Mr. President, will the Senator withhold his objection for a moment?

Mr. CLARK. Yes; I shall be glad to do so.

Mr. McNARY. The whaling industry is rather an important one in Alaska and the Pacific Northwest. This bill simply makes the construction-loan fund of the Merchant Marine Act applicable to whaling vessels, the same as it is applicable to the merchant marine. It will assist that industry in carrying on this great American enterprise. It does not require any appropriation. It simply makes available the fund now available for the merchant marine.

The bill has the favorable report of the committee and the favorable report of the Shipping Board, and I hope the Senator will permit it to be considered and passed.

Mr. CLARK. I will say to the Senator that I voted against reporting this bill out of the committee on the ground that it extends a subsidy, as I see the bill. I am opposed to subsidies, and therefore I am opposed to the bill.

Mr. COPELAND. Mr. President, the Senator is mistaken about that. The bill simply permits this particular industry to apply for a loan.

Mr. CLARK. But that is equivalent to a subsidy, as the Senator well knows.

Mr. COPELAND. No; I do not think so, because this is an industry which, if encouraged, can meet its obligations. They have to put down 25 percent of the value of any construction they have and are permitted to borrow the rest from the Government on the security of the vessel; but the loan must be repaid, and that is the expectation. It is not a subsidy in the sense that the mail contracts are.

Mr. CLARK. Not in the same sense that the mail contracts are; but I think the Senator will agree that these loans have been repaid in a very small percentage of the cases in which they have been made. In other words, it is in effect a subsidy, although not nominally such.

Mr. COPELAND. Not a small percentage.

Mr. DILL. Mr. President, I call the attention of the Senator from Missouri to the fact that this sort of loan not only goes to the ships themselves but it goes to the development of the American whaling industry. Unless we are going to repeal the law that permits money to be loaned to build ships, it will certainly be, it seems to me, a very great injustice to continue to refuse the whaling industry the chance to build itself up on the same terms that the

merchant marine was permitted to do so, because there is a far better chance to repay the money out of the whaling industry than there is out of the merchant marine, in the condition it is in now.

Mr. McKELLAR. Mr. President, if the Senator will yield, does he know how much money has actually been returned by the shipping interests from these loans that have been made?

Mr. DILL. No; I am unable to give that information.

Mr. McKELLAR. My information is that it has been very little—practically none.

Mr. COPELAND. O Mr. President, the Senator is mistaken about that!

Mr. McKELLAR. Will the Senator be good enough to get the figures and put them in the Record by the time this matter comes up the next time?

Mr. COPELAND. I shall be glad to do so. Let me say to the Senator that this is not for passenger ships.

Mr. McKELLAR. I know it is not.

Mr. COPELAND. This is not for lines of vessels. This is simply to encourage an industry which at this time, because of the demand for whale oil, can give employment and can establish a lagging industry—lagging because these people have not all the funds necessary to put it upon its feet. If we are going to help the railroads and the banks, certainly here is an industry which is entitled to exactly the same consideration.

Mr. McKELLAR. We can certainly find a great many industries that are in the same situation if we look around us today. What I want to know, before we proceed to lend these funds to others, is what success we have had in having these funds repaid by those to whom we have already loaned them, and I should like to have the figures before I vote on this bill.

Mr. COPELAND. Mr. President, may I say to the Senator that I know how he feels about the lines of ships which we have supported and subsidized, but this is an industry entirely separate and apart from the shipping industry in the ordinary sense, and my judgment is that by passing the bill we will be encouraging a worthy industry and giving employment and assisting our country in that way.

Mr. KING. Mr. President, if no objection has been made, I object.

The VICE PRESIDENT. Objection is made. The bill will be passed over.

BILLS PASSED OVER

The bill (S. 682) to prohibit financial transactions with any foreign government in default on its obligations to the United States was announced as next in order.

Mr. KING. Mr. President, reserving the right to object to the consideration of this bill, I think it deserves more consideration than can be given at this time.

The VICE PRESIDENT. Objection being made, the bill will be passed over.

The bill (H.R. 4220) for the protection of Government records was announced as next in order.

Mr. JOHNSON. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 317) authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund was announced as next in order.

Mr. KING. Mr. President, this bill, as I recall, was incorporated in the so-called "farm bill." With that understanding I will ask that it be passed over until I can verify the impression which I have.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama; and for other purposes, was announced as next in order.

The VICE PRESIDENT. This bill is the unfinished business.

Mr. FESS. Let it go over.

The VICE PRESIDENT. The bill will be passed over.

OTTO CHRISTIAN

The bill (S. 1288) for the relief of Otto Christian was announced as next in order.

Mr. SHEPPARD. Mr. President, let me state that this is one of a number of relief bills which have been reported from the Military Affairs Committee and which passed the Senate during the last Congress. All have been found to come within the rules generally followed by the committee in connection with such measures.

Mr. KING. Mr. President, I should like an explanation from the Senator as to the reason for this special legislation.

Mr. SHEPPARD. This bill gives an officer a chance for a hearing as to whether illness prevented him from passing an examination for promotion. The War Department itself says that the circumstances are such that he should have another chance.

The Senate proceeded to consider the bill, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to summon Otto Christian, late captain, Medical Corps of the Regular Army of the United States, before a retiring board for the purpose of a hearing of his case and to inquire into all facts touching upon the nature of his disabilities, to determine and report the disabilities which in its judgment have produced his incapacity and whether such disabilities were incurred during his active service in the Army and were in line of duty; that if the findings of such board are in the affirmative the President is further authorized, in his discretion, to nominate and appoint, by and with the advice and consent of the Senate, the said Otto Christian a captain in the Medical Corps and to place him immediately thereafter upon the retired list of the Army with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for the officers of the Regular Army: *Provided*, That the said Otto Christian shall not be entitled to any back pay or allowance by the passage of this act.

DAN DAVIS

The bill (S. 531) for the relief of Dan Davis was announced as next in order.

Mr. KING. Let that go over.

Mr. SHEPPARD. Mr. President, this is another of the bills which the committee examined carefully, and concluded that the circumstances justified its passage. The committee found that the faithful service rendered by the beneficiary of this bill was sufficient cause for the action proposed.

Mr. McKELLAR. Has a similar bill heretofore been passed?

Mr. SHEPPARD. A similar bill has heretofore passed the Senate.

Mr. KING. Mr. President, I notice that the person who is to be the beneficiary of the bill deserted from the military service of the Government. Are the circumstances such as to warrant removing the record of desertion and giving him a pension for life?

Mr. SHEPPARD. He had seen active service, had encountered a number of hardships, and deserted while ill, apparently not realizing the effect of what he was doing. That was what the committee found. They found extenuating circumstances connected with the matter; and we followed the usual rule under which we act in such cases.

Mr. KING. Mr. President, may I ask the Senator from Massachusetts [Mr. WALSH], who is familiar with the grounds on which exceptions are made, whether he has examined this bill and understands it to come within the rule he has invoked heretofore?

Mr. WALSH. Mr. President, I have not examined this bill. The next bill is one which I introduced, and that is recommended favorably by the War Department.

Mr. FRAZIER. Mr. President—

Mr. SHEPPARD. The Senator from North Dakota [Mr. FRAZIER] introduced this bill, and the Senator from New Mexico [Mr. CUTTING] reported it.

Mr. FRAZIER. Mr. President, this is a case where this man enlisted in the Spanish-American War from North

Dakota, served throughout that war with distinction, and received an honorable discharge. He reenlisted a couple of years later, and after some months became ill and deserted on account of the illness. He afterward tried to enlist in the World War and was kept out because of poor health. He thought it was because he had deserted. He went across into Canada, took his mother's maiden name, enlisted in the Canadian Engineers, and served 7 months overseas, receiving an honorable discharge.

Mr. WALSH. Was the dishonorable discharge given to him in the period of war?

Mr. FRAZIER. No; not during the war. It was right after the Spanish-American War. He reenlisted in June 1902, as I remember.

Mr. REED. And deserted in September 1902.

Mr. WALSH. Of course if a soldier has an honorable discharge during the war period, he has all the benefits of veterans' legislation. The only disadvantage sustained by a soldier who had an honorable service during the war, but who was dishonorably discharged after the war, is that he is not permitted to enter a soldiers' home.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Dan Davis, who was a member of Company L, Twenty-second Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 5th day of September 1902: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

MICHAEL J. MORAN

The Senate proceeded to consider the bill (S. 423) for the relief of Michael J. Moran, which was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Michael J. Moran, alias James Moran, who was a member of Troop F, Third Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 27th day of September 1876: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. WALSH. Mr. President, this bill is recommended by the War Department.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THE DALLES BRIDGE CO.

The Senate proceeded to consider the bill (S. 804) to authorize the Secretary of War to grant a right of way to The Dalles Bridge Co., which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 3, after the word "authorized", to insert "and", so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered to grant to The Dalles Bridge Co., a corporation organized and existing under the laws of the State of Washington, its successors and assigns, a permanent right of way, in such location and under such terms and conditions as may be approved by the Secretary of War, over and across the Celilo Canal and other Government lands along the Columbia River near The Dalles, Oreg., for bridge and highway purposes, with full power to locate, construct, and operate a bridge, approaches and approach highways, and adjuncts: *Provided*, That the land shall not be used for other purposes and when the property shall cease to be so used it shall revert to the United States: *Provided further*, That the right to compel the removal of said bridge, approaches and approach highways, and adjuncts is hereby reserved in the Secretary of War, whenever he may determine the interests of the Government so requires, and which said removal is to be without expense to the Government as a condition of this grant.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES J. JORDAN

The Senate proceeded to consider the bill (S. 707) for the relief of James J. Jordan, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 9, after the word "Corps", to insert "on February 19, 1901", so as to make the bill read:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, James J. Jordan shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of the Thirty-third Company United States Coast Artillery Corps on February 19, 1901: *Provided,* That no pension shall accrue prior to the passage of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT A. MARQUARDT

The bill (S. 422) for the relief of Albert A. Marquardt was announced as next in order.

Mr. KING. Mr. President, I will ask for an explanation of this bill.

Mr. SHEPPARD. Mr. President, a soldier of brilliant service in the World War was court-martialed for taking a raincoat and was dishonorably discharged. There were a number of raincoats hanging on the wall. This soldier had to leave quarters on a cold, rainy night. He took the coat for his own protection, with the idea of returning it. The committee felt, in view of his praiseworthy and at times daring service during the war, that he is entitled to this legislation.

Mr. WALSH. Mr. President, may I read, for the benefit of the Senator from Utah, the last paragraph of the report of the officer in charge of the court martial?

In view of Lieutenant Marquardt's excellent record as an officer of the Three Hundred and Tenth Infantry in active service against the enemy, as well as the fact that this officer, at the age of 42 years, married, the father of four children, the owner of a farm, and eligible for a commission as chaplain, volunteered for service in the line of the Army, I join heartily in the recommendation that he be pardoned, restored to duty, and given an honorable discharge.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 10, after the word "no", to strike out "bounty, back pay, pension, or allowance" and insert "compensation, retirement pay, back pay, pension, or other benefit", so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Albert A. Marquardt, who was a member of Company F, Three Hundred and Tenth Regiment United States Infantry, Seventy-eighth Division, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 4th day of November 1918: *Provided,* That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WAR-TIME RANK FOR RETIRED ARMY OFFICERS

The bill (S. 593) to amend the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to give class B officers of the Army benefits of such act, was announced as next in order.

Mr. McKELLAR. Mr. President, will the Senator from Pennsylvania explain this bill?

Mr. REED. Mr. President, in 1930 we passed a bill which, in effect, gave a brevet title, without increase of pay, to all officers honorably retired from the Army after service in the World War. In other words, if a regular was a brigadier general during the war, and after the war was put back to his regular rank of lieutenant colonel—to take a typical

case—and was then retired, he would be entitled to be addressed as "Brig. Gen. So-and-so." It carried no privileges, no pay, no compensation or allowances of any sort; but it meant a good deal to the pride and self-respect of these officers.

It was discovered after the bill went into effect that those officers who were retired under the class B provision of our national defense law, without any reproach to them, without any turpitude or dishonor or malfeasance on their part, were ruled to be not entitled to the benefits of the act. There are 27 officers of the Army who were retired under the class B provision at a rank lower than they occupied during the World War. This gives those officers the right to assume that title.

Mr. McKELLAR. It does not impose any financial obligation on the Government?

Mr. REED. Absolutely not.

Mr. McKELLAR. I have no objection.

Mr. CONNALLY. Mr. President, officers who were retired under the class B provision do not draw the same rate of retired pay that officers draw who were retired for length of service.

Mr. REED. That is true.

Mr. CONNALLY. Does this in anywise change that?

Mr. REED. Not in the least; no. There is a proviso in the law of 1930 that it shall not in any way be construed to increase the pay or allowances of these officers.

Mr. CONNALLY. What I mean, though, is this: An officer who retires after 30 years for disability gets three-fourths pay.

Mr. REED. That is right.

Mr. CONNALLY. An officer who is retired under the class B law, as it is called, does not get three-fourths pay, but he gets a percentage based upon the number of years that he was actually in the service.

Mr. REED. He would get the three-fourths pay only if he had been in the service for 30 years.

Mr. CONNALLY. This bill, then, will not disturb that?

Mr. REED. No; it will not disturb that at all.

Mr. CONNALLY. It will not increase the charge on the Treasury at all?

Mr. REED. Not one cent, I assure the Senator.

Mr. CONNALLY. What good does it do, then?

Mr. REED. It is a matter of pride.

Mr. CONNALLY. Just the rank? Is that all?

Mr. REED. Yes; it is merely a reminder of the higher rank which they held during the war.

The Senate proceeded to consider the bill, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, is amended by striking out the words "except those retired under the provisions of section 24b of the act of June 4, 1920."

FRANCIS N. DOMINICK

The bill (S. 727) for the relief of Francis N. Dominick was announced as next in order.

Mr. KING. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

ROBERT J. SMITH

The Senate proceeded to consider the bill (S. 772) for the relief of Robert J. Smith, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, sailors, and marines Robert J. Smith shall hereafter be held and considered to have been honorably discharged from the military service of the United States on October 6, 1899: *Provided,* That no back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

ROBERT J. FOSTER

The Senate proceeded to consider the bill (S. 166) for the relief of Robert J. Foster, which had been reported from the

Committee on Military Affairs with an amendment, on page 1, line 9, to strike out the words "15th day of August" and to insert in lieu thereof the words "26th day of October", so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Robert J. Foster, who was a member of Company C, Sixth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 26th day of October 1901: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROLANDO B. MOFFETT

The Senate proceeded to consider the bill (S. 248) for the relief of Rolando B. Moffett, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Rolando B. Moffett, who was a member of Company H, Eleventh Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 30th day of September 1880: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

SAMSON DAVIS

The Senate proceeded to consider the bill (S. 381) to correct the military record of Samson Davis, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 5, to strike out the words "Company A, Ninth Regiment United States Infantry", and to insert in lieu thereof the words "the Hospital Corps, United States Army", so as to read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Samson Davis, who was a member of the Hospital Corps, United States Army, shall be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 29th day of August 1902.

The amendment was agreed to.

Mr. REED. Mr. President, I think there has been a clerical error in that bill. It ought to carry the usual proviso. I move to add at the end of the bill the words "*Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Samson Davis."

BERYL M. McHAM

The Senate proceeded to consider the bill (S. 558) for the relief of Beryl M. McHam, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 9, after the numerals "1920", to insert a colon and the words "*Provided*, That no pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act", so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Beryl M. McHam, who served in Company C, Twenty-sixth Regiment, and Company C, Eighth Regiment United States Infantry, World War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 7th day of July 1920: *Provided*, That no pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM BURKE

The Senate proceeded to consider the bill (S. 1204) for the relief of William Burke, which was ordered to be engrossed

for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Burke, who was a member of Company C, Ninth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 6th day of August 1901: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

LEONARD THEODORE BOICE

The Senate proceeded to consider the bill (S. 1287) for the relief of Leonard Theodore Boice.

Mr. REED. Mr. President, that, again, fails to include the proviso. I move that there be added at the end of the bill the words—

Provided, That no pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

Mr. SHEPPARD. Mr. President, I suggest to the Senator that the officer referred to in this bill is dead, and that the object of the bill is to make it possible for his widow to receive an allowance of a few hundred dollars. If the amendment proposed by the Senator is added in this case, the purpose of the bill will be defeated.

Mr. REED. Then the amendment is worded incorrectly. It ought to include the words "excepting active-duty pay."

Mr. SHEPPARD. That is true.

The VICE PRESIDENT. It will be necessary to reconsider the vote by which the amendment was agreed to. Without objection, the vote will be reconsidered, and the clerk will state the amendment as modified.

The CHIEF CLERK. The Senator from Pennsylvania proposes to insert at the end of the bill the following proviso:

Provided, That no pay, excepting active-duty pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CURTIS JETT

The Senate proceeded to consider the bill (S. 792) for the relief of Curtis Jett, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Curtis Jett, who was a member of Troop I, Sixth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private on July 23, 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

SUPERVISION OF FOREIGN COMMERCIAL TRANSACTIONS

The bill (S. 882) to provide for the more effective supervision of foreign commercial transactions, and for other purposes, was announced as next in order.

Mr. JOHNSON. Mr. President, this bill is one in which I am very greatly interested, and it is legislation urgently needed and required. However, on last Friday, I think it was, the Senator from Florida [Mr. FLETCHER] presented, from the Committee on Banking and Currency, a bill of similar import, which represents the administration's views. I do not want to interfere with the administration's program, although I desire that the legislation shall be hastened with the utmost celerity.

Inasmuch as the Senator from Florida is absent, I do not feel that I ought to press this particular measure of mine, which is of like character with that which he has presented. So I ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

RELIEF IN EXISTING BANKING EMERGENCY

The bill (S. 1425) to amend the act entitled "An act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933, was announced as next in order.

Mr. COUZENS. Let that go over. The Chairman of the Committee on Banking and Currency is not in the Chamber at present.

The VICE PRESIDENT. The bill will be passed over.

RELIEF OF UNEMPLOYMENT

The bill (H.R. 4606) to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, this is a bill of huge proportions. It appropriates \$500,000,000. I do not imagine the able Senator from New York desires to have it considered at this time. Indeed, I do not think that in the remaining time during the morning hour we could give proper consideration to the bill.

Mr. WAGNER. Mr. President, may I say to the Senator that this bill is almost identical with a bill which the Senate has already approved, after a discussion covering a period of 3 days. I can state briefly the reason why it is here.

Mr. McNARY. I think it is similar technically, or in language, but it carries an additional appropriation of \$500,000,000.

Mr. WAGNER. Oh, no; this identical bill, with one or two minor amendments which were made by the House, has already passed the Senate. The reason why it is back here again is that when the Senate bill reached the House a point was made that since it provided for a bond issue the bill ought to originate in the House. Therefore the same bill was reintroduced in the House, was passed there, and is back here. Under those circumstances I did not think it would lead to any discussion here at all, because the amendments do not relate to the substance of the bill.

Mr. COUZENS. Mr. President, will the Senator from Oregon yield to me?

Mr. McNARY. I yield.

Mr. COUZENS. The Committee on Banking and Currency compared this measure very carefully with the bill which originally passed the Senate, as the Senator from New York states, and there is really only a minor difference as to the difference in the method of distribution of the \$500,000,000 among the States. I think the amendments can be easily explained in a very few minutes, because the whole field has been covered before.

Mr. McNARY. When I read the bill hastily on the calendar I thought it was for an additional appropriation.

Mr. WAGNER. Oh, no; it is a bill which we discussed here; and the only change which might be regarded as a substantive change is that the original bill provided a fund of \$200,000,000, which was to be distributed by the so-called "matching process"; that is, whenever a State had expended a certain sum over a period of 3 months, to that State was to be advanced one third of that sum out of a \$200,000,000 fund. Then the \$300,000,000 fund was to be regarded as an emergency fund, to be given to the States in addition to the one third if need were shown. Instead of \$200,000,000 being appropriated for matching purposes, the fund was increased to \$250,000,000, and the emergency fund was decreased from \$300,000,000 to \$250,000,000. Outside of that the changes are minor. I really did not think it would lead to any debate or discussion of any kind, because the Senate by a very substantial vote approved the legislation some days ago.

Mr. McNARY. Does this bill have a unanimous report from the Committee on Banking and Currency?

Mr. WAGNER. It has been unanimously reported from that committee.

Mr. McNARY. It does not increase the financial load to the Government?

Mr. WAGNER. No more than we increased it in the original measure.

Mr. McNARY. I mean, it does not increase the obligation over and above that which was considered by the Senate previously, some weeks ago?

Mr. WAGNER. No; it is the same sum exactly.

Mr. LA FOLLETTE. Mr. President, I hope the Senator from Oregon will not object to the consideration of the bill, for the further reason that the funds available for this purpose under the old act are rapidly diminishing, and it is imperative that additional funds be made available. In view of the fact that the Senate committee has recommended certain minor amendments, it becomes necessary for the bill to go back to the House, and it may be necessary to have a conference. In view of the fact that we have already thrashed out all of the major issues contained in the legislation, and the Senate has acted, I trust the Senator will let us take it up this morning.

Mr. McNARY. Mr. President, I am not going to be particularly stubborn about the matter. I simply want to know how we are proceeding. I am advised that the Senator from Arizona [Mr. HAYDEN] is to offer a very substantial amendment to the measure. I do not want to have the bill considered if there are to be several amendments offered.

Mr. FLETCHER. Mr. President, will the Senator yield to me?

Mr. McNARY. I yield.

Mr. FLETCHER. I had a request to offer a minor amendment to the bill. It is not so very important, I think, but it is worth while, I presume. It was to include the Virgin Islands under section 7, to insert the words "Virgin Islands" after the words "Puerto Rico", so as to make that section read:

SEC. 7. As used in the foregoing provisions of this act, the term "State" shall include the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and the term "Governor" shall include the Commissioners of the District of Columbia.

Mr. McNARY. Mr. President, I have no objection to that, but I am advised that the Senator from Arizona intends to offer an amendment. Should the bill be taken up, and an amendment be offered, it would be too late then to request that it go over. If there are to be amendments offered of a substantial character, in view of the necessary absence of some of the Members of the Senate on this side, I should have to object to the consideration of the bill this morning until we had an opportunity to study the amendments to the bill.

Mr. WAGNER. Mr. President, may I inquire whether there is any other Senator who proposes to offer an amendment to the bill? I think the Senator from Arizona is the only one who desires to do so. I might say to the Senator that, with my knowledge of procedure in the Senate, if this bill were coming up for the first time, I would not even suggest that it be considered in this short period of time; but we have discussed the bill in all its details.

Mr. McNARY. I appreciate that.

Mr. BRATTON. Mr. President, if the Senator from Arizona is to offer an amendment, I suggest that he let us know what it is.

Mr. HAYDEN. Mr. President, I can state very briefly that the proposal I intend to offer is to permit the American National Red Cross to continue, as it has been doing in past years, the distribution of flour made from wheat or other grain products. It will not take me more than 10 minutes to explain the proposal to the Senate, and the Senate could vote on it immediately.

Mr. McNARY. That may be true; it may be a very worthy project, and personally I probably would have no objection, but there are Members on this side who would like to consider the amendment before it is voted on. It involves the expenditure of \$40,000,000. Let me say to the Senator further that there is no more Government wheat left. All of that which heretofore has been a reservoir from which we have taken the wheat and turned it over to the Red Cross has been disposed of.

Mr. HAYDEN. Mr. President, I am sure it would not take more than 20 minutes to dispose of the matter. I can very briefly state what the amendment provides, and the Senate can vote on it at once. I think the Senate is perfectly competent to pass on it right now.

Mr. McNARY. I appreciate that, but the point I am making is simply this: Whatever my views may be, I could not

permit a vote on this \$40,000,000 proposition, which has never been before the Senate, with so many absent from the Senate at this hour. It is not a fair way to legislate.

Mr. COSTIGAN. Mr. President, will the Senator yield?

Mr. McNARY. I yield.

Mr. COSTIGAN. In view of the serious consequences which may follow the suggested objection of the distinguished Senator from Oregon, will not the Senator from Arizona generously consider withholding his amendment, and offering it as a separate bill? The need for action is urgent. The enactment of this measure should not be delayed another day.

Mr. HAYDEN. Mr. President, if it is the judgment of the three authors of the bill that I should do that, of course I will follow their suggestion.

Mr. WAGNER. I join in the request to the Senator.

Mr. McNARY. Mr. President, I am not considering that amendment only. I object to consideration of the measure with so many absent. If the Senator wants to offer the amendment and let the bill go over until tomorrow during the morning hour, that would meet my suggestion.

Mr. LA FOLLETTE. Mr. President, if the Senator who has the floor will yield, I want to add to the appeals already made to the Senator from Arizona that he permit us to get this bill through this morning, because of the urgent need of supplementing the funds available. So far as any individual Senator can do so, I promise the Senator that I will be glad to assist him in getting consideration for his bill, but I think the proposal should be in a separate bill.

Mr. HAYDEN. Mr. President, I can assure the Senator from Oregon, then, that at the request of the three authors of the bill I will not offer my amendment if he will permit the bill to come up.

Mr. McNARY. Mr. President, in view of the statements of the Senator from New York and others that the bill conforms to the legislation which formerly went through the Senate, I shall not object.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with amendments. The first amendment of the committee was, on page 3, line 16, to strike out "not to exceed \$8,500" and to insert in lieu thereof the words "to be fixed by the President at not to exceed \$10,000", so as to make the section read:

SEC. 3. (a) There is hereby created a Federal Emergency Relief Administration, all the powers of which shall be exercised by a Federal Emergency Relief Administrator (referred to in this act as the "Administrator") to be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall receive a salary to be fixed by the President at not to exceed \$10,000, and necessary traveling and subsistence expenses within the limitations prescribed by law for civilian employees in the executive branch of the Government. The Federal Emergency Relief Administration and the office of Federal Emergency Relief Administrator shall cease to exist upon the expiration of 2 years after the date of enactment of this act, and the unexpended balance on such date of any funds made available under the provisions of this act shall be disposed of as the Congress may by law provide.

Mr. BRATTON. I desire to ask the Senator from New York a question with reference to this bill. I am moved to do so by reason of a telegram received from a constituent in New Mexico who is deeply interested in it. The telegram reads:

If newspaper statements correct, bill substituted by House would make exclusive basis allotment Federal relief funds to October 1 the ability of the State to put up \$3 for every dollar allotted by Federal Government. This absolutely impossible New Mexico. If this provision retained, would mean thousands of people hungry in New Mexico coming months.

Does this bill contain a provision to that effect?

Mr. WAGNER. It does not. It is not limited to a matching fund.

Mr. BRATTON. I did not so understand the bill but "to make assurance doubly sure", I desired to obtain an expression from the Senator from New York who is one of the authors of the proposed legislation.

Mr. BLACK. Mr. President, before this amendment shall be adopted I desire to ask what is the reason why it is necessary to strike out the salary limitation and to increase the salary from \$8,500 to \$10,000?

Mr. LA FOLLETTE. Mr. President, I may say in response to the inquiry of the Senator from Alabama that, in the first place, this bill contemplates very important administrative functions to be performed by the person selected to administer the act. In other words, he is going to exercise a wide discretion over a fund amounting to \$500,000,000. Therefore, it seemed to the members of the committee that to fix the salary at \$8,500, which would in turn be subject to a 15 percent cut under the general economy act, would reduce the salary to the point where it might be impossible to get the type and caliber of person who certainly ought to be selected to discharge such an important administrative function as is provided for in the bill. Therefore the committee raised the figures from \$8,500 to \$10,000, which, subject to a 15-percent cut, would make a net salary of \$8,500 per annum.

Mr. BLACK. So that I understand, then, the Senator's idea is that there should be one employee at \$10,000, which would really make a net pay of \$8,500?

Mr. LA FOLLETTE. That is correct.

Mr. BLACK. That is doubtless correct, but I desire to ask the Senator if he does not think it would be wise, by reason of various complaints which have come to many Senators about salaries, to limit the \$10,000 salary to one rather than to leave it wide open?

Mr. LA FOLLETTE. I do not understand that it is left wide open. If the Senator will note the language as proposed to be amended, he will find that it reads:

The administrator—

That is, the person referred to all through the bill as the person who will be appointed to administer the act—

shall receive a salary to be fixed by the President at not to exceed \$10,000.

Mr. BLACK. Is there any further limitation?

Mr. LA FOLLETTE. On page 4, if the Senator will refer to lines 6 and 7, he will see that the bill permits the administrator to fix the compensation of certain officers and experts, and the salary limitation is placed at not to exceed \$8,000 per annum.

Mr. DILL. Mr. President, why does the committee think that we could not get a man to administer this proposed law without raising his salary to \$10,000?

Mr. LA FOLLETTE. The Senator ought to say raising it to a net sum of \$8,500.

I may say to the Senator that, of course, probably persons might be obtained for work of this kind who would not expect any salary at all. On the other hand, there are persons, as the Senator knows, who have no private income, and the committee felt that in the administration of a fund so large as this we would want to secure the best-equipped person to carry on the work, and that, in the end, in order to get the right person, it would be well worth the difference, say, between \$7,000 and \$8,500.

Mr. DILL. Mr. President, the Senator from Wisconsin must know that there are literally hundreds—I think, thousands—of men who ordinarily get large salaries but who today would be delighted to have an opportunity to get a salary of \$8,500 with a 15 percent cut; men of outstanding ability; men of large administrative experience. It seems to me we are setting a bad precedent in these hard times when we provide salaries of \$10,000 a year. I do not see any need of it. We shall have coming before us pretty soon a railroad bill providing for a coordinator who will try to reorganize the railroads of the United States. I have consistently fought in the preliminary discussion of that legislation to keep down any high salaries. I do not believe at this time we are justified in paying high salaries, and I do not see any need of the Senate committee's amendment.

Mr. LA FOLLETTE. Mr. President, the Senator from Washington speaks of a \$10,000 salary, and once more I

want to point out that it will be a net salary of \$8,500. Furthermore, I may say in response to the Senator's suggestion that there are hundreds, if not thousands, of persons who could be obtained to administer this proposed act; but it embraces a special field, and the person undertaking to administer it should be one who has training, experience, and character. We felt that the President ought not to be hampered in the selection by providing a salary below \$8,500. It was the judgment of the committee that that was not an exorbitant salary for a person charged with the tremendous responsibilities which will be imposed upon the administrator under this bill; and to insist upon a reduction of \$1,500 in the salary of the official who is to be charged with administering a fund which reaches \$500,000,000, it seems to me would be certainly pennywise and pound foolish.

Mr. CLARK. Mr. President—

Mr. LA FOLLETTE. I yield to the Senator from Missouri.

Mr. CLARK. Mr. President, we passed a bill here last Friday at one gulp authorizing an unlimited number of \$10,000 jobs in connection with the administration of the farm bill. It seems to me, as the Senator says, it would be pennywise and pound foolish to be raising that point at this time in the case of one official charged with the administration of as important and large a fund as is provided by the pending bill.

Mr. LA FOLLETTE. Mr. President, I may say for myself in behalf of the other Senators who have been interested in this proposed legislation that it has been our constant desire from the beginning, as a careful reading of the bill will show, in every possible way to limit and cut down the cost of administration in order that the largest amount of this money should ultimately reach those who are in distress. We have provided that all except a few experts shall be under the Civil Service. We have done everything we possibly could to circumscribe the administrative cost. We fixed a very infinitesimal percentage as the total limit beyond which the administrative cost should not go. I hope the Senator will permit the President to have a sufficient amount of leeway to enable him to get the right man for this job, for if there ever was a bill drawn on the theory that it must have competent administration it is this one.

Mr. COSTIGAN. Mr. President, I desire to ask the Senator from Wisconsin whether it is not true that we also carefully examined the possibility of securing some rarely qualified administrator, even discussing that subject with representatives of the President? We have always had in view securing the services of an administrator who would most efficiently function under this proposed act and who, by virtue of his experience, could save far more than any salary that could be paid him.

Mr. TRAMMELL. Mr. President, I see no occasion to raise the salary of \$8,500 fixed by the House in this bill passed by it and now being considered by the Senate. The House fixed the salary at \$8,500 per annum. The Senate is endeavoring to raise it to \$10,000. I believe in these times when Congress is at least making an effort toward effectuating economy that we should force some of it on the higher salaries.

I was against the idea of giving unlimited salaries in connection with the bill which we passed last week. This is not the day of high salaries in any line of endeavor, but some want to maintain high salaries for a lot of officials. To me it does not seem consistent that we should constantly be trimming small salaries, that some Senators should be constantly nagging at the veterans of the country, many of whom are getting only \$12.50 a month, and cutting off their compensation, or reducing it in other instances 25 percent or 30 percent, and denying them the privilege of hospitalization when bedridden. Yet when it comes to the salary of some official, such as the one provided for in this bill, it is proposed to give a big salary just as though the country were prosperous and that everything was going along well and lovely in this country. As a rule, those who

want to give big salaries even during the time of depression can predominate. But I submit the policy is all wrong.

I hope the Senate will cut down the salary to \$8,500 a year, which is the amount fixed by the House, and, if we do that, in all probability, the same person will occupy the position who otherwise would. I have often in the Senate seen claim made that we could not get an efficient person unless we fixed his salary at ten or twelve thousand dollars per annum, and I will guarantee, if a check be made of such cases, that in 75 percent of the instances the same person occupied the place at the increased salary. Yet some would have us think that we are going to lose their efficient and wonderful services unless we add \$1,000 to \$2,000 more to an already high salary, considering the depressed condition of our country.

This item involves only one salary, and that in itself does not amount to much, but the question of the principle involved and the question of the attitude of Congress in dealing with other financial matters bulk large. I do not know how it is in most of the States, but back in my State I do not find that the people approve of high salaries not being reduced or that those drawing them should not make equal contribution in any reduction that may occur while all kinds of minor and inconsequential items of expense are trimmed to the very bone.

I hear a great deal from my State about 8 and 10 and 15 thousand dollar salaries that some here insist in maintaining. I dare say other Senators do not; that their people are well satisfied to keep up the high salaries and to cut the lower salaries and cut off the soldiers from many benefits previously enjoyed. Are they? Are they? I get a different sentiment expressed from the people that I happen in part to represent. I hope the item will remain just as it is in the House bill. The salary there fixed was ample. You can get the best men in the country now for \$5,000 or \$6,000 per annum.

Mr. McNARY. Mr. President—

Mr. TRAMMELL. I yield the floor.

Mr. McNARY. The House provision called for \$8,500 per annum?

Mr. WAGNER. That is correct.

Mr. McNARY. And the committee increased it to \$10,000. Was that because of the 15 percent reduction in the economy bill?

Mr. WAGNER. That, of course, influenced the committee in fixing the higher maximum.

Mr. McNARY. So that the net amount of money that would go to the official would be \$8,500?

Mr. WAGNER. Yes; that is really what the House fixed, and I assume that the House did not take into consideration the 15-percent reduction. I think it was in their minds to make the compensation equal to the salary of Senators and Members of the House.

Mr. McNARY. It occurs to me that the amendment adopted by the Senate committee conforms to the intention of the House.

Mr. WAGNER. That is my view of it.

Mr. BYRNES. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from South Carolina?

Mr. WAGNER. I will be through in a moment. There is very little, Mr. President, that can be added to what the Senator from Wisconsin [Mr. LA FOLLETTE] has stated, except that I think the Senate appreciates that we are imposing upon the administrator under this bill one of the most difficult tasks imaginable. As a matter of fact, we have got to have somebody in the office who has not only ability but has had experience in the distribution of relief funds, for here is involved the task of distributing throughout the country as a gift from the Federal Government \$500,000,000. The one who administers this fund has got to have knowledge of the conditions in various localities, of the needs, and of the social problems involved. I have made inquiry as to what the States are paying to the experts employed by them, and I will say that most of the States have not permitted

politics to interfere with the administration of relief funds and they have employed experts, men who have made a study of the social problems involved, to head their relief committees, and four of the States are now paying higher salaries for the administration of merely State funds than we are proposing to pay the one who shall have placed upon him the tremendous task that we are imposing upon the administrator of this proposed act. So I hope that the amendment will be adopted.

Mr. BYRNES. Mr. President, I wish to say a word or so in support of the amendment. Let me remind the Senator from Florida that when the economy bill was passed during the last Congress all salaries were limited to \$10,000, with the exception of salaries paid to members of the Cabinet. As I recall, the only exception was the Director of Veterans' Administration. The Banking and Currency Committee inquired into the matter when this bill was pending before the committee and became convinced that it was the intention of the House that the Administrator should be paid a salary of \$8,500. By the language of the bill he is given discretion to appoint State administrators to handle the funds covered by the bill. Unlike the former act, which provided for loans, it is provided now that there shall be direct advances. I think if we can visualize the duties and the importance of the position of administrator under this bill, having in his control and discretion \$500,000,000, we can agree that the salary of \$8,500 provided by the bill is not excessive.

As to the other employees, provision is made that in no case shall any employee other than the director receive a salary in excess of \$8,500. The 15-percent cut will apply to the \$8,500. That means that the assistant to the administrator cannot receive more than \$7,225. I think under the circumstances the committee is wise in fixing the salary as it is provided in the bill, and I hope the amendment will be agreed to.

Mr. TRAMMELL. Mr. President, I think there is greater justification for this particular increase, more than in nine tenths of the other cases where salaries, in spite of any opposition, have been fixed by Congress in excess of \$8,000, \$9,000, or \$10,000. Still I do not approve of the policy of maintaining a high standard of salaries for those in the higher positions and not cutting their salaries proportionately when we consider the necessities and the needs of the families of the country in the Government service who are drawing the smaller salaries, say, \$1,200 to \$1,800 per annum. I have contended here upon several occasions that a person who receives a salary of \$2,000 a year and has a cut of \$325 from that salary can much less afford that reduction than a person who is getting a \$12,000 a year salary can afford a reduction of \$2,500 or \$3,000 per annum and still have left a salary of \$9,000 or more. That is the basis of my contention.

Of course, some do not believe in the idea of increasing the percentage of cut as we reach the larger salaries. They would have them continue to draw, say, from \$7,000 to \$12,000 annually. I believe we should adopt such a policy as that. In the Government's distress I believe those able to pay should pay most. I think that the salaries, generally speaking, fixed during prosperous times were quite liberal, far more liberal to those receiving the higher salaries than to those who received the smaller salaries. During my 16 years of service in the Senate I have found it far more difficult to obtain an increase of \$50 or \$100 a year for a person receiving a salary of \$1,500 to \$2,000 a year than it has been to secure an increase from \$10,000 to \$12,000 or \$15,000. As a rule, the \$8,000 and \$10,000 and \$12,000 salaries are readily and quickly increased. A suggestion of an increase in such a salary has gone through like the machinery had been perfectly oiled in advance. However, I opposed many of them. In prosperous times, when there was some agitation favoring a minor increase in the smaller salaries, there would be debate and contention for 2 or 3 or 4 days in the Senate, and the little fellow would do well to get an increase of \$60 to \$100 per annum.

I agree that in this particular instance there is more justification for the increase than ordinarily, but we have all seen many instances where salaries of \$7,000 or \$8,000 or \$10,000 are paid to people who were not previously receiving more than \$3,000 or \$4,000. I have seen agitation in the Senate and I have seen legislation enacted following statements to the effect that we had to pay larger salaries to obtain the services of certain people upon certain boards or in certain bureaus, and then we have seen those positions as a rule filled by people who previously were not receiving half the salaries fixed by the Government. I am contending against the general principle that in this time of depression and distress, in this time when the Government has deemed it proper even to take away in some instances a part of the very small compensation paid to soldiers, to withdraw hospitalization from the soldiers in many cases. In such times we should guard well and wisely the question of dealing with the higher and larger salaries. Do not cry economy, economy, and then have no economy in legislating on the big, fat salary.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The next amendment of the Committee on Banking and Currency was, on page 4, line 2, after the word "and", to insert "subject to the provisions of the Civil Service laws, appoint, and, in accordance with the Classification Act of 1923, as amended, fix the compensation of", so as to make the clause read:

(b) The Administrator may appoint and fix the compensation of such experts and, subject to the provisions of the Civil Service laws, appoint, and, in accordance with the Classification Act of 1923, as amended, fix the compensation of such other officers and employees as are necessary to carry out the provisions of this act—

And so forth.

Mr. DILL. Mr. President, does this mean that everybody employed by such an organization has to be on the Civil Service rolls or one who has previously been discharged and is still on the Civil Service rolls?

Mr. LA FOLLETTE. Mr. President, may I explain the situation? This is the language in the bill exactly as it passed the Senate originally. When the bill was up for consideration in the House an amendment was offered striking out the words which are now in the bill, and the result was that everything was thrown under the Civil Service. The language as now written in the bill will require all persons in a clerical capacity to be taken from the Civil Service roll, but would permit the administrator to appoint whatever small number of experts he may need without regard to the Civil Service. In other words, the amendment is less restricted than the text of the bill provided as it passed the House.

Mr. DILL. My understanding is that unless the statute specifically exempts employees authorized they must come under the Civil Service.

Mr. LA FOLLETTE. That is true.

Mr. DILL. The experts are still not exempt.

Mr. LA FOLLETTE. Yes; they are. The administrator may appoint and fix the compensation of such experts.

Mr. DILL. But it does not say the experts are not subject to the Civil Service Act.

Mr. LA FOLLETTE. The way the language is drawn I believe it does, if the Senator will read it carefully. This is the language commonly used. It is very clear that they are not to be subject to the Civil Service requirement, because the affirmative declaration is that all others are to be so subject, and this makes the exception. As the bill passed the House everybody had to come under the Civil Service provision.

Mr. DILL. Under an Executive order issued by former President Hoover the selection of new employees from the Civil Service came not from new lists by examination but from former employees who had been discharged. What is

being done here is to compel the Board to take employees who have been dropped from the rolls of other departments. That is the effect of it.

Mr. WAGNER. Mr. President, I do not know whether that is the effect or not; but even if it is, I do not think it would be a serious objection, would it? If originally the employees acquired their position through a competitive examination and then through the economy program they have been discharged, I should think they ought to have a prior right. However, I do not think we provide here one way or the other.

Mr. DILL. That condition exists under the Civil Service Executive order issued by the President. I think these special organizations ought not to be hampered by the Civil Service. They are temporary in their nature and exist only for a short period. I think it is a serious mistake to hamper the men in charge of these special organizations by compelling them to follow the Civil Service plan. We have not done it with the Reconstruction Finance Corporation generally. We have not done it with various other organizations.

Mr. WAGNER. I am not so sure that we should not have done it.

Mr. DILL. We could not have done any worse, I agree; but the whole theory is that in these temporary organizations the officers ought to be free to choose men for the particular positions.

Mr. WALSH. Mr. President, I simply want to go on record as in favor of all Government employees being under the Civil Service. The incompetency of many temporary Government departments is due in large part to the fact that they are not under the Civil Service. If we want competent employees, we are more likely to get them through the Civil Service than through favoritism or political influence.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The CHIEF CLERK. On page 4, line 6, after the word "act", insert the words "but such compensation shall not exceed in any case the sum of \$8,000", so as to make the sentence read:

The Administrator may appoint and fix the compensation of such experts and, subject to the provisions of the Civil Service laws, appoint, and in accordance with the Classification Act of 1923, as amended, fix the compensation of such other officers and employees as are necessary to carry out the provisions of this act, but such compensation shall not exceed in any case the sum of \$8,000.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The CHIEF CLERK. The next amendment of the Committee on Banking and Currency is, on page 4, line 16, after the word "purpose", to insert the following new sentence:

The Administrator may, in his discretion, appoint a State administrator in any State or States where in his judgment more effective and efficient cooperation between the States and Federal authorities may be secured in carrying out the purposes of this act, and shall prescribe rules and regulations for that purpose.

Mr. LOGAN. Mr. President, I desire to offer an amendment to the amendment of the committee. In line 16, after the word "discretion", I move to amend the committee amendment by striking out the words "appoint a State administrator" and insert in lieu the words, "under rules and regulations prescribed by the President, assume control of the administration", so as to read:

The Administrator may, in his discretion, under rules and regulations prescribed by the President, assume control of the administration in any State or States—

And so forth. The first thing the amendment does is to allow the administrator to proceed under rules and regulations prescribed by the President. The next thing, instead of simply appointing a State administrator, the amendment allows him to assume control of administration under rules and regulations prescribed by the President.

Mr. WAGNER. Mr. President, I do not understand the amendment.

Mr. LOGAN. The amendment proposes to strike out the words "appoint a State administrator" and insert in lieu thereof words so it will then read:

The administrator may in his discretion, under rules and regulations prescribed by the President, assume control of administration in any State or States—

And so forth.

Mr. WAGNER. I think we can accept the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 4, line 16, after the word "discretion", the Senator from Kentucky proposes to amend the committee amendment by striking out the words "appoint a State administrator" and insert in lieu thereof the words "under rules and regulations prescribed by the President, assume control of the administration."

The PRESIDING OFFICER. Without objection, the amendment to the committee amendment is agreed to and without objection the committee amendment as amended is agreed to. The clerk will state the next amendment.

The CHIEF CLERK. On page 8, line 8, the Senator from Florida proposes to amend by striking out the word "and", before "Puerto Rico", and after the words "Puerto Rico" insert the words "and Virgin Islands", so as to read:

As used in the foregoing provisions of this act, the term "State" will include the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and the term "governor" shall include the Commissioners of the District of Columbia.

Mr. WAGNER. There is no objection to the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. COPELAND. Mr. President, I am not quite sure that I understood the answer my colleague made to the Senator from New Mexico [Mr. BRATTON]. I find, on page 5, at the bottom of the page, the statement that—

Each State shall be entitled to receive grants equal to one third of the amount expended by such State—

And so forth.

Mr. WAGNER. That applies to the fund of \$250,000,000, which is set aside for a period of time to be used in the matching process; that is, for every \$3 the State has expended during a period of 3 months prior to the application the State will be entitled as a matter of right to receive \$1. In addition thereto, however, there is another fund of \$250,000,000, which we call "the emergency fund"; and if the one third is insufficient to meet the needs of the States they may apply for a further allowance under the \$250,000,000 provision by establishing the need for the fund.

Mr. COPELAND. Then the anxiety that the mayor of the city of New York had is quite unnecessary?

Mr. WAGNER. Yes.

Mr. COPELAND. Because under the bill as written the city, through the State, would get back one dollar for each three spent, and then in addition would get funds from the other section of the bill?

Mr. WAGNER. Yes; and, besides, I think it carries out his suggestion. Let me give my colleague an illustration. If during a period of 3 months New York City has spent \$9,000,000, it then will be entitled to \$3,000,000 in the succeeding 3 months under this matching provision, so that the city will only have to expend \$6,000,000. Therefore he is getting 2 for 1, really, for future expenditure—exactly what he sought.

Mr. COPELAND. In order that the illustration may be correct, I desire to let the Senate know that the city of New York is spending \$7,500,000 per month for relief now.

Mr. WAGNER. Yes. The whole State, as a matter of fact, is spending \$14,000,000 a month for relief.

Mr. BRATTON. Mr. President—

Mr. WAGNER. I desire to follow that up. If that one third is insufficient, the State may still apply for a portion of the \$250,000,000, and the amount allowed depends upon the need of the State. That is where the State of New Mexico will be cared for.

Mr. BRATTON. The provision to which the Senator now refers is on page 6, line 8, subparagraph (c)?

Mr. WAGNER. Yes.

Mr. BRATTON. And that provision relates to \$250,000,000?

Mr. WAGNER. Two hundred and fifty million dollars. As to the distribution of that fund, there are no restrictions except that no State can receive more than 15 percent, and the State must establish the need for the fund.

Mr. BRATTON. That was my understanding of the legislation; but a misconception has gone throughout the country. It has provoked a great deal of anxiety; and I think it is a real service to correct that misconception on the floor of the Senate, so that the country may know that a State that is unable to comply with the matching provision is not excluded from relief, but may obtain relief under the other provision of the legislation.

Mr. COPELAND. May we not say, also, that to the \$250,000,000 in the second section will be added any remnant of the first \$250,000,000 not taken by the States?

Mr. WAGNER. That is in the discretion of the President.

Mr. COSTIGAN. That is provided under subdivision (d) on page 6.

Mr. WAGNER. If the President so directs.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 687) providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla., was announced as next in order.

Mr. DILL. Let that go over.

Mr. FLETCHER. Mr. President—

Mr. DILL. I am opposed to that bill.

The PRESIDING OFFICER. The bill will be passed over.

MOTHER'S DAY

The resolution (S.Res. 16) favoring an expression on Mother's Day of our love and reverence for motherhood, was announced as next in order.

Mr. WALSH. I ask to have the resolution printed in the RECORD.

The PRESIDING OFFICER. That order will be made.

The resolution was considered and agreed to, as follows:

Whereas by House Joint Resolution 263, approved and signed by President Wilson, May 8, 1914, the second Sunday in May of each year has been designated as Mother's Day for the expression of our love and reverence for the mothers of our country; and

Whereas there are throughout our land today an unprecedentedly large number of mothers and dependent children who, because of unemployment or loss of their bread earners, are lacking many of the necessities of life: Therefore be it

Resolved, That the President of the United States is hereby authorized and requested to issue a proclamation calling upon our citizens to express, on Mother's Day this year, our love and reverence for motherhood;

(a) By the customary display of the United States flag on all Government buildings, homes, and other suitable places;

(b) By the usual tokens and messages of affection to our mothers; and

(c) By making contributions, in honor of our mothers, through our churches or other fraternal and welfare agencies, for the relief and welfare of such mothers and children as may be in need of the necessities of life.

Mr. COPELAND. I ask that two telegrams, one from Bishop McConnell of the Methodist Church, and another from Mr. Tuttle, ex-district attorney of New York, may also be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

NEW YORK, N.Y., April 27, 1933.

Senator ROYAL S. COPELAND,

Senate Building:

Greatly appreciate your contribution to unemployment relief by means of Senate Resolution 16. Earnestly hope you will push for early passage, thereby give necessary time for effective organization on the part of churches and other cooperating agencies.

FRANCIS J. MCCONNELL.

NEW YORK, N.Y., April 27, 1933.

Senator ROYAL S. COPELAND,

Senate Building, Washington, D.C.:

Greatly appreciate your leadership and effort to secure early adoption Senate Resolution 16. Believe if adopted early enough to enable churches to make proper presentation it will result in life-saving contribution and relief of much suffering among our unemployed.

CHARLES H. TUTTLE.

AMENDMENT OF EMERGENCY BANKING ACT

Mr. FLETCHER. Mr. President, while I was called out of the Chamber, Senate bill 1425 was reached and some Senator suggested that it go over. I do not see any objection to the bill. It is recommended by the Reconstruction Finance Corporation and by the Secretary of the Treasury. It simply provides that the Reconstruction Finance Corporation may take other stock in national banking associations. I think the idea, when it was reached, was that it had to do with the securities bill; but it has no relation at all to that measure.

Mr. McNARY. Mr. President, I think it would be unfortunate to recur to the bill at this time, in view of the fact that so many Senators are absent. I think it was the Senator from Michigan [Mr. COUZENS] who asked that it go over; and during his absence I should have to insist on the objection.

Mr. FLETCHER. I think it was the Senator from California [Mr. JOHNSON] who suggested that it go over, because he thought it had reference to his bill, S. 882; but that is a different matter entirely.

Mr. McNARY. I know; but in the absence of the Senators I shall have to insist on my objection.

Mr. FLETCHER. Very well.

THE DALLES BRIDGE CO.

The Senate proceeded to consider the bill (S. 1278) to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co., which was read, as follows:

Be it enacted, etc., That an act to authorize the construction of certain bridges over navigable waters of the United States, approved March 4, 1933 (Public, No. 431, 72d Cong.), be amended by adding to section 2a the words "a Washington corporation", immediately following the words "The Dalles Bridge Co."

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry. Has this bill any relation to the one previously considered on the calendar?

Mr. DILL. No; this bill relates to a bill passed in the last Congress. The other bill relates to another phase of this subject.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 875) to provide for the furnishing of information and the supervision of traffic in investment securities in interstate commerce was announced as next in order.

Mr. KING. Mr. President, this bill is so important that I presume the Senator from Florida does not want to have it taken up at this time with so many Senators absent.

Mr. FLETCHER. It is a very important bill, and cannot be disposed of in 5 minutes.

Mr. KING. That is what I supposed. I suggest, therefore, that it go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 4589) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes, was announced as next in order.

Mr. McNARY. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF PROBATION LAW

The Senate proceeded to consider the bill (S. 1131) to amend the probation law, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 18, after the word "after", to strike out "his discharge from probationary supervision" and insert "the probationary period", so as to make the bill read:

Be it enacted, etc., That section 2 of the act of March 4, 1925, entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia" (U.S.C., title 18, sec. 725), be, and the same is hereby, amended to read as follows:

"Sec. 2. That when directed by the court the probation officer shall report to the court, with a statement of the conduct of the probationer while on probation. The court may thereupon discharge the probationer from further supervision and may terminate the proceedings against him, or may extend the probation or modify the condition of his probation, as shall seem advisable.

"At any time within the probation period the probation officer may arrest the probationer wherever found, without a warrant, or the court which has granted the probation may issue a warrant for his arrest, which warrant may be executed by either the probation officer or the United States marshal of either the district in which the probationer was put upon probation or of any district in which the probationer shall be found and, if the probationer shall be so arrested in a district other than that in which he has been put upon probation, any of said officers may return probationer to the district out of which such warrant shall have been issued. Thereupon such probationer shall forthwith be taken before the court and the court may revoke the probation or the suspension of sentence and impose any sentence which might originally have been imposed.

"At any time after the probationary period, but within the maximum period for which the defendant might originally have been sentenced, the court may issue a warrant and cause the defendant to be arrested and brought before the court. Thereupon the court may revoke the probation or the suspension of sentence and may impose any sentence which might originally have been imposed."

The amendment was agreed to.

Mr. COPELAND. Mr. President, may I ask the Senator from New Mexico whether this bill radically changes the probation law? I ask the question because it happens that I introduced the probation bill which became a law.

Mr. BRATTON. It does not. I will state to the Senator that it changes it in four respects only:

First. It authorizes the court during the period of probation, upon report of the probation officer, to modify the condition of the probation.

Second. It expressly authorizes the arrest of the probationer wherever found.

Third. It expressly authorizes the arrest of the probationer by either the probation officer or the United States marshal wherever found.

Fourth. It authorizes the court, during the period of probation, not only to terminate, extend, or modify the term of probation, but to impose any sentence which might have been imposed originally.

Mr. COPELAND. I assume that the experience in the application of the law has made it seem wise to make these changes.

Mr. BRATTON. It has; and the passage of this bill was recommended by the Department of Justice.

Mr. COPELAND. Does the Senator know how successful the law has been in its operation?

Mr. BRATTON. It has been very successful. With these improvements I think it will be more so.

Mr. COPELAND. I thank the Senator.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INSURANCE COMPANY BONDS AND STOCKS

Mr. FLETCHER. Mr. President, I move that the Senate proceed to the consideration of Senate bill 1094 to provide for the purchase by the Reconstruction Finance Corporation of preferred stock and/or bonds and/or debentures of insurance companies. We ought to dispose of that bill now.

Mr. McNARY. Mr. President, when this matter came up earlier in the day the able Senator from Indiana [Mr. ROBINSON] objected to it. An amendment is desired to be offered by the Senator from California [Mr. JOHNSON]. They are both absent from the Chamber, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Barkley	Bulkeley	Carey
Ashurst	Black	Bulow	Clark
Austin	Bone	Byrd	Connally
Bachman	Borah	Byrnes	Coolidge
Bankhead	Bratton	Capper	Copeland
Barbour	Brown	Caraway	Costigan

Couzens	Kean	Norbeck	Steiwer
Cutting	Kendrick	Norris	Stephens
Dickinson	Keyes	Nye	Thomas, Okla.
Dill	King	Overton	Thomas, Utah
Duffy	La Follette	Patterson	Townsend
Erickson	Logan	Pittman	Trammell
Fess	Loneragan	Pope	Tydings
Fletcher	McAdoo	Reed	Vandenberg
Frazier	McCarran	Reynolds	Van Nuys
Goldsborough	McGill	Robinson, Ark.	Wagner
Gore	McKellar	Robinson, Ind.	Walcott
Hale	McNary	Russell	Walsh
Harrison	Metcalf	Sheppard	Wheeler
Hayden	Murphy	Shipstead	White
Johnson	Neely	Smith	

Mr. KENDRICK. I desire to announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Illinois [Mr. DIETERICH], the Senator from Georgia [Mr. GEORGE], and the Senator from Louisiana [Mr. LONG] are necessarily detained from the Senate.

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, there is a quorum present.

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair). The question is on the motion of the Senator from Florida [Mr. FLETCHER] that the Senate proceed to the consideration of Senate bill 1094.

Mr. FLETCHER. Mr. President, I may say, very briefly, that I do not propose to go into a discussion of the bill at any length.

The PRESIDING OFFICER. The motion is not debatable during the morning hour.

Mr. FLETCHER. I just wanted to explain the object of the motion and to state that I did not expect to take any time with it.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with amendments.

The first amendment of the committee was, on page 1, line 3, before the word "existing", to insert the word "the", so as to read:

That during the continuance of the existing emergency heretofore recognized by Public, No. 1, of the Seventy-third Congress, or until this act shall be declared no longer operative by proclamation of the President, etc.

The amendment was agreed to.

The next amendment of the committee was, on page 2, line 17, to strike out the words "an amount sufficient" and to insert in lieu thereof the words "\$100,000,000, in order to provide funds."

Mr. KING. Mr. President, before this bill is disposed of, I shall be very glad to have an explanation. There may be reasons sufficient to justify putting our hands into the Treasury of the United States and taking out \$100,000,000 for insurance companies—that, I understand, being the purpose of the bill—but if there are reasons which warrant that, I should be glad to be advised of them.

It seems to me we are a little too tender toward some of these corporations, banks, insurance companies, railroads, and so on, and I fear that some of the advances which we are making will never be returned, that the taxpayers of the United States will be the victims of improvident loans and expenditures. Before I can vote for this proposal, I shall be very glad to have reasons which will appeal to me.

Mr. JOHNSON. Mr. President, I want to say to the Senator from Florida that I have an amendment which I am about to offer to the bill or which I shall offer ultimately, and I might as well offer it now, because I think the bill will probably not be acted upon before 2 o'clock.

I will say to the Senator, in order that he may be informed respecting it, that the amendment is simply an amendment of the Reconstruction Finance Corporation law, which has been written, in part, by the attorney for the Corporation, and in part by our legislative counsel, authorizing loans to municipalities and school districts which will enable those school districts and municipalities in southern California which suffered in the recent earthquake, and whose schoolhouses were literally destroyed, to obtain loans upon their credit and in the execution of the obligations

and the like from the Reconstruction Finance Corporation. I explain that to the Senator in order that he may consider it in the future when this bill comes up. I offer the amendment, which I ask to have printed and lie upon the table.

Mr. FLETCHER. Mr. President, I am very glad to have the Senator offer the amendment now. I supposed the conditions in California had been taken care of by a separate appropriation.

Mr. JOHNSON. In respect to the construction of these schoolhouses, nothing whatsoever has been done.

Mr. FLETCHER. In response to the Senator from Utah, if the Senator from California will allow me, I will state briefly what the purpose of the bill is and what is intended to be accomplished by it. I may say this, that I would not be so persistent about getting action on the bill if it were not that the Reconstruction Finance Corporation have urged it upon me. They say it is not only important but necessary, in some instances, if we are to save the lives of some of these insurance companies for the benefit of those who are insured, for us to take this action right now; that we cannot wait; that it will be too late 10 days from now. Some of the companies are in a very bad situation so far as their financial set-up is concerned, and they can get relief under the bill, and the Government would be entirely safe in taking the preferred stock.

In these instances it is a matter in which the public is concerned, not merely the insurance companies themselves.

The bill authorizes the Reconstruction Finance Corporation, during the emergency declared by the President on March 6, 1933, or until the provisions of the bill are declared inoperative by proclamation of the President, to subscribe for preferred stock of insurance companies which is exempt from assessment or additional liability, or to make loans to such companies secured by such stock as collateral whenever the Secretary of the Treasury finds that such subscriptions or loans are necessary to provide working capital for such companies.

The Secretary of the Treasury must first find that the loans are necessary in order to provide working capital for such companies. Such subscriptions to stock are to be made upon request of the Secretary of the Treasury, with the approval of the President.

I cannot see any stronger foundation for a proposal than that. It must be certified by the Secretary of the Treasury that the loan is necessary, and the loans are to be made only upon the request of the Secretary of the Treasury, and with the approval of the President.

The bill also provides that whenever the issuance of such preferred stock is prohibited under State law, which is the case in some States, or may be issued only with the unanimous consent of the stockholders or upon more than 20 days' notice, which is legal under the laws of some States, the Corporation is authorized to purchase legally issued notes, bonds, or debentures of insurance companies in such States, which may be subordinated to the claims of other creditors.

Under the bill as reported by the committee the borrowing power of the Reconstruction Finance Corporation is increased by \$100,000,000 to provide funds to carry out the provisions of the bill.

It may not be necessary to use a dollar; it may not be necessary for them to expand their borrowing power one cent; but this provision must be made in order that they can do it if it is required in order to meet the conditions which are determined, first, by the Secretary of the Treasury and approved by the President, and found to be proper and advisable by the Reconstruction Finance Corporation. They must protect the loans. That is the whole purpose of the bill.

As I recall, I have not heard a single objection to the bill as originally introduced. The objections which have been urged or brought to my attention at least, and the only objections, are those which arise under the committee amendment. The amendment of the committee, which the Senate can accept or reject as it sees fit, of course, provides that the insurance companies must put up additional capi-

tal in an amount equal to that which is subscribed for by the Reconstruction Finance Corporation. Some of the companies say they cannot do that. They say that they cannot call upon the stockholders now, who are not able to put up this additional capital, and therefore the bill will do them no good. There are some companies in that situation, I have no doubt. That is one of the things provided for in the amendment, not in the bill itself.

Another thing provided in the amendment is a limitation on salaries. No officer in any of these borrowing companies, president or otherwise, may receive more than \$17,500. Then we provide that there shall be no increase or rise in the salaries during the time the Government holds the stock. That is provided in the amendment, and there are objections raised to the provisions of the amendment. To the purpose and objects of the bill as introduced I have not found any serious objection anywhere. The Reconstruction Finance Corporation people tell me that it is essential that we do something about this now, and there are some companies which undoubtedly would be salvaged and go on with their business, conducted in a proper, legitimate way, if they are able to get this help, through the subscription to the preferred stock, under which there is no liability to the Reconstruction Finance Corporation, or assessment, or anything else, on condition that the companies borrowing the money put in new capital to the amount that is subscribed by the Reconstruction Finance Corporation.

Mr. President, that is the provision of the bill. The insurance companies of this country need the help, undoubtedly—they want it—and the Reconstruction Finance Corporation commends the bill. The loans would be safeguarded by being passed upon by the Secretary of the Treasury and approved by the President. So that I think the bill ought to be acted upon now. If the Senate feels that the amendment which the committee has reported should not be insisted upon, or should be defeated, that is entirely a matter for the Senate itself.

Mr. ROBINSON of Indiana. Mr. President, I just want to suggest to the Senator from Florida that I will have no objection to taking up the bill when it can be thoroughly discussed and its weaknesses exposed. In other words, there is nothing dilatory about my objection at this time. I just knew that the bill could not be taken up and acted upon during the morning hour, because there could not be sufficient opportunity to point out the weaknesses of the measure.

When the bill comes up in regular order, however, and we can have time to discuss it, I propose to lay bare what seems to me to be some of the dangers of the proposal, to strongly urge that the bill be defeated; and then, if the Senate acts upon it, at least I will be conscience free. The Senate can then do as it chooses. A majority can act. But I certainly do not desire that the Senate should take snap judgment on this matter, because it is of very grave importance.

The proposal is to give a hundred million dollars to insurance companies, and I propose to point out, when the proper time comes, that all in the world that money is expected to be used for by the insurance companies themselves is to bolster up their own weaknesses. I propose to show that the policyholders, for whom these executive officers act in trust, would not benefit one cent by any advance from the Reconstruction Finance Corporation. Because of the fact that the policyholders have been, in my judgment, abused thoroughly during the past 3 years by these very insurance companies, I consider it my duty to do all I can to see that they are not abused any further, that they may be protected in the future.

PERSONALITIES AND PERSONAL RELATIONSHIPS IN THE AMERICAN EXPEDITIONARY FORCES—ADDRESS BY MAJOR GENERAL HARBORD

Mr. SHEPPARD. Mr. President, I present and ask unanimous consent for publication in the RECORD an address delivered by Maj. Gen. J. G. Harbord, United States Army, retired, at the Army War College, April 29, 1933, entitled "Personalities and Personal Relationships in the American Expeditionary Forces."

There being no objection, the address was ordered to be printed in the RECORD, as follows:

One of the principal advantages to a country of an institution such as West Point for the training of its officers is that it acquires through the years a group of men who, in addition to the other benefits of military training, speak the same language. The training is sufficiently grooved so that given a set of circumstances the majority of graduates will draw substantially the same inferences and will report them to military superiors in language which will carry the same interpretation to other graduates of that incomparable school. When the graduates of the institution constitute the great majority of the general officers commanding for our country in a war, this advantage, already great, is multiplied if, in mature life, a large proportion of those officers have been further standardized by the service schools and Army War College. The effect of this uniform training is again multiplied by the personal relationships that have been established through the years of such association.

General Pershing graduated from West Point in 1886, having personally known, with greater or less intimacy and realism, the cadets of the several classes which graduated from the academy from 1883 to 1889. Those still in service of the seven classes in 1917 ranged generally between 50 and 60 years of age. They were the physical and professional survivors of from 28 to 34 years of service, and furnished 27.8 percent of the 474 general officers who commanded for America in the World War. The outstanding character of General Pershing's Army service had given him unusual opportunity for knowing a great number of those officers destined to serve under him in the American Expeditionary Forces. He served a tour as tactical officer at his alma mater just before the Spanish-American War and knew many members of the classes that graduated from 1895 to 1899. These classes furnished 8.8 percent of our general officers for the war. He was a member of the highly professional Army which went to Cuba in 1898. His early service in the Philippines was contemporaneous with the volunteers of 1899 and 1900, the field officers of which largely reappeared as general officers in 1917. He had a tour on the General Staff just after its organization with the opportunity for acquaintance which comes to the young officer stationed in the National Capital. He commanded Fort William McKinley at a time when Manila was the mecca of the mobile army. His command of the Mexican expedition brought him further opportunity for wide acquaintance with the officers on the Rio Grande border.

Of the 42 divisions which served under General Pershing in France, 14 at one time or another were commanded by his classmates of 1886. Sixteen others were under command of officers whom he had known as cadets at West Point. Several others were commanded by officers whom he had known while serving there as a tactical officer. In the first detail to the General Staff in 1903, one room in the War Department is said to have furnished office space to Majors Goethals and Dickman and Captains Pershing and March. The latter became Chief of Staff in the World War, Dickman commanded a division and then a corps, and finally the Third Army in Germany; Goethals became a major general in recognition of his tremendous achievement of the Panama Canal, and was Director of Purchase, Storage, and Traffic on the War Department General Staff under General March.

This wide acquaintance with his contemporaries and many juniors compared very favorably with that enjoyed by Haig in the British Army and Petain, Foch, and Joffre in the Armies of France. Beyond doubt the success of all these men was attributable in no small degree to their judgments of officers formed during years of service before the Great War. These personal relationships played such a dominating part in the drama of America's greatest adventure that the student of the military art who seeks to deduce principles from the story of the American Expeditionary Forces must constantly take them into account. Personalities really govern the world, and personal relationships are, in my judgment, more potent in politics, professional, and business life than any other single factor. To the extent that they influenced the course of events in the American Expeditionary Forces, it is important that someone shall make record of them. Memories of the Great War are already fading and will die with our generation. The bare records of administration, the tactical studies, the official reports and rosters, will no longer glow with life when the last survivor of the events of which they treat has joined his comrades in the beyond. The future historians and biographers of our time, if of the "debunking" type so obnoxious in recent years, will undertake to supply the human interest by synthetic process if those of us who knew and lived it have left behind us no record of it.

Actually, in a small army in time of peace, there can hardly be a choice of staff officers by a commander just charged with the responsibilities which faced General Pershing on May 14, 1917, when I reported to him in the War Department, except one based upon personal acquaintance. In my own case I had known General Pershing since December 1898, nearly 19 years. We had occupied the same tent in the Tenth Cavalry camp at Huntsville, Ala., for about half of that month. I had just been appointed regimental quartermaster. He had performed the same duty when the regiment went to the Santiago campaign. Promoted away from Cuba and his property accountability after the surrender of the city with no opportunity to transfer to a successor, he was now under the lash of the auditor for the War Department, and had come to Huntsville to see what could be found of his shortage. In verifying the accountability turned over to me by the officer who had acted as regimental quartermaster since Persh-

ing had left Cuba, I found that much of the property in the hands of the troops was not included. I inventoried all the Government property in the camp, and took up on my returns what I found unaccounted for. It included such items as over 800 horses, 2 wagons, and a couple of pack trains. In general, what I found corresponded fairly well with the shortage over which Captain Pershing was worrying. In the years that passed between Huntsville and the World War I had crossed the Pacific once with General Pershing, and had considerable contact with him in the many years during which we were both in the Orient. In the summer of 1915 I had been stationed at the Presidio of San Francisco, and saw him during the short leave of absence from the border which he passed there with his family in the month that preceded the great tragedy which darkened his life in that year.

When I reported to him on May 14, being considered for the duty of chief of staff to accompany him to France, our first duty together was to study the names submitted by the chiefs of supply bureaus of suitable men for his staff. To a certain extent such naming by a department head or chief of bureau settled the matter for the time, especially if we both knew the officer and agreed on his merits. In other cases, if doubt not confirmed by personal acquaintance existed, an understudy was requested, whose selection was based on personal knowledge of him. In the case of the two General Staff officers not named by the War Department, but whom General Pershing was authorized to select, we agreed, without hesitation, on Lt. Col. John McA. Palmer and Maj. Dennis E. Nolan. The former worked himself sick in France, but came back to command a brigade in the closing days of the war, and eventually retired as a brigadier. Nolan was the assistant chief of staff for intelligence during the whole war, but, during a rest period from confinement to an office desk, went up to the front line, and won a Distinguished Service Cross in command of a brigade. He is now a major general. Lt. Col. Fox Conner and Maj. Hugh A. Drum, both of whom had served with General Pershing in the Southern Department, accompanied us to France and began work in the operations section of the General Staff. Conner succeeded Palmer as its head when the latter broke down in health, and was the great chief of operations for the American Expeditionary Forces during all its active operations, and came home with the Commander in Chief as his chief of staff. Drum, who had known the general in the old days in Lanao, became the very efficient chief of staff of the First Army. Both Conner and Drum now wear the double stars. During the first month in France, five officers joined us who were destined by reputation and the general's acquaintance with their records to become members of his initial general staff. They were Lt. Cols. William D. Connor and Paul B. Malone, and Maj. LeRoy Eltinge, Frank R. McCoy, and Stuart Heintzelman.

Eltinge, who became deputy chief of staff, American Expeditionary Forces, died soon after the war as a brigadier general. Connor was the first assistant chief of staff, G-4. He left general headquarters to be chief of staff of the Thirty-second Division the same day I left to command the Marine Brigade. He had his stars as a brigadier and was fighting a brigade on the Vesle when I persuaded General Pershing to send him to me in the Services of Supply, where he eventually became chief of staff and relieved me of the command in May 1919. As a major general he went from the command of the Army War College last year to be Superintendent at West Point. Malone was the officer in charge of training, as assistant chief of staff, G-5, for the first half year and then commanded the Twenty-third Infantry. The fortunes of war delayed his promotion until October 1918, but he is now a major general. Stuart Heintzelman stayed with the operations section of the general staff and became chief of staff of the Second Army. As a major general he is graduating General Staff officers from Fort Leavenworth. Frank Ross McCoy became a colonel, left general headquarters with Connor and myself on May 6, 1918, going to command the old Sixty-ninth New York, the One Hundred and Sixty-fifth Infantry in the Rainbow Division. He soon changed his eagles for stars, and commanded a brigade in the Thirty-second Division, until he, too, was commandeered for the Services of Supply. One of the best all-around officers in the Army, he has been kept busy as a major general in far-flung diplomatic missions to Nicaragua and Manchuria.

About the time General Pershing sailed, May 28, 1917, to command all American military units and individuals in Europe, the War Department sent to Europe a commission of 12 selected officers to study organization at the Allied front and make recommendation to the War Department on the proper organization with which to fight the war. Nine of those twelve officers became general officers during the war, one of them is now the efficient Commandant of the Army War College. Every consideration of common sense and courtesy, as well as efficiency, should have suggested that this commission be ordered to report to General Pershing, who was to command the armies for which the commission was to suggest an organization. He might have been supposed to have ideas on organization if he was a fit selection for the command. As a matter of fact, he had such ideas, and had at once set his General Staff to getting the data upon which to form recommendations which he would make to the War Department.

The commission visited the puzzled British and French headquarters, who knew of Pershing's arrival and could not understand this independent commission roving the western front. It completed its tour, but, like all Americans in peace or war, expected to put the finishing touch on its study in Paris, and came there, but

did not report to General Pershing. The senior officer was a quartermaster, a fact rather amusing to our Allies, but he was a classmate of our general, and, of course, was friendly. The Commander in Chief saw the danger of the commission, in person recommending to the War Department one form of organization while he by cable suggested another, and realized what was likely to happen under such circumstances. He invited the members of the commission to discuss their proposed organization with him and his staff, where by every consideration he should have been able to order it. The discussion lasted over 2 long summer days, when time was more precious than fine gold. It was held in the lovely garden at the back of 73 rue de Varenne, which Mr. Ogden Mills had turned over to the general for his use during the war, a splendid, beautiful establishment, the residence of Marshal Lannes when Napoleon became emperor. Serious differences of opinion developed in the discussion. In his earnestness, one of the outstanding officers of the commission, later to be a distinguished division and corps commander on the western front, carried his argument as nearly to the limit of courtesy as I have ever seen an officer go and escape unrebuked. General Pershing kept his temper, was infinitely patient, and the commission finally agreed with the organization he recommended to the War Department. It was the most critical moment of his command in some respects.

The great personality of the American Expeditionary Forces was, of course, the commander in chief himself. There was no rivalry for first place among the several officers who reached prominence in the American Expeditionary Forces. It was loyally conceded to John J. Pershing. He appears to have been a marked man from the time he entered West Point. Older than the average cadet, he was a leader in the corps, became first captain, and was made president of his class. He was under 40 when I first met him. He was 57 in the autumn of 1917. The years had dealt kindly with him, and he was at the height of his physical and professional vigor. He had great personal charm, though not all the American Expeditionary Forces were privileged to feel it. He is an exceedingly temperate man, not a drinker, and seldom smoked. He appeared to have no routine for exercise, though in France he seemed always in fine physical condition. A good rider and a fast walker, he was physically and mentally alert. He was the personification of neatness and a model of military smartness. I have seen him show some temper, but never saw him lose control of himself. Caution and caniness were strong traits of his character. He was very impersonal in his military decisions; quiet, definite, but willing to hear explanations. He had a contempt for haziness and indefiniteness in his subordinates. When he had made up his mind it was not easy to get him to change it, but it was tenacity and firmness and not obstinacy, and it could be changed. Patience was not his most conspicuous trait, but he had it in great degree when necessary. He never "spilled the beans."

In the second month after our arrival in France the Seventeenth Engineers landed at St. Nazaire. It was a fine regiment under a fine colonel, John S. Sewell, a graduate of West Point, who had gone into civil life some years before the war. Nevertheless it would have figured as but one more among many good regiments with good colonels that were so numerous as to be the accepted standard but for the presence in it of one great personality. Over 25 years before Lieutenant Pershing, of the Sixth Cavalry, had served a tour as military instructor at the University of Nebraska at Lincoln. A struggling lawyer of the town was Charles Gates Dawes, destined to become one of the very conspicuous figures of our time. The two young men, unmarried, similar in tastes, nearly of an age, and almost equally impecunious, formed a friendship that still endures.

In 1917, Dawes, in the meantime, became a prosperous banker of Chicago, for which he had abandoned the law, was of an age and importance to his community that, in the case of thousands of other men, furnished a justification for remaining at home. He, however, resurrected a youthful experience in railroad engineering and sought and obtained a commission. He landed in France as lieutenant colonel of the Seventeenth Engineers. He became the most outstanding civilian in the American uniform. He exercised an influence on the accomplishments of the American Expeditionary Forces which easily places him among perhaps a dozen officers who, standing just below the commander in chief, were so nearly on the same level of merit with each other, that history will take little note of any difference.

General Pershing found the Allies bidding against each other for munitions in the restricted markets of allied and neutral countries. Our own supply chiefs, true to the independence of function in which they had been bred, began the same expensive effort, with no coordination and no regard for priority of needs. One would bid high prices in open market for materials which might be on hand unused and unneeded in another branch of our own supply. General Pershing sent for Lieutenant Colonel Dawes, his lawyer-trained business friend of long experience, already well known to the Allies as the banker of Chicago whose bank had led the subscription for the Anglo-French loan, and gave him the task of coordinating the purchases of the whole command in allied and neutral markets. He wore the title of general purchasing agent, but never personally made a purchase. In time there were added to his responsibilities many other activities, such as the Accounting Bureau of Accounts, Rents, Requisitions, and Claims, the civilian labor, and the American membership on the Inter-Allied Board of Military Supply.

General Dawes acquired few military characteristics during his time in uniform, fewer than he thought he did, but his usefulness, loyalty, and direct-action efficiency never slackened for a

moment. He thought of General Pershing as the "John" of Lincoln days, and usually addressed him that way. Yet he would have fought like a tiger to defend the dignity and respect due the commander in chief from anyone under all circumstances. His was at all times the noble and steadfast heart, and, if military channels meant little to him, his official performance left nothing to be desired. His direct access to the General occasionally put a little strain on the military conventionalities, and, as the boys sometimes said, he operated from a position "out on a limb." Meantime, Dawes and Harbord became close friends, and when the latter went to command the Services of Supply, where Dawes nominally belonged, personal relationship again played a part in securing unvarying cooperation and conformity from the general purchasing agent. In time Colonel Dawes became a brigadier general and terminated a career of usefulness in France, where no one could have replaced him, with the final negotiation of the sale of our American Expeditionary Force supplies to France, with accompanying settlement of all claims of the French against the American Expeditionary Forces. General Dawes' subsequent brilliant and useful career is a logical sequence to the service he rendered his country in the World War.

Maj. Gen. John Biddle, an engineer of long experience, an outstanding officer of his corps, and a former superintendent of West Point, came over early in the summer of 1917 with a brigade of Engineers which was assigned with the British. Its units were soon separated, and General Biddle became virtually a liaison officer at British general headquarters.

In September of that year Maj. Gen. Hugh L. Scott, Chief of Staff of the Army, was retired for age. I remember one September Sunday reminding General Pershing of that fact, and telling him I thought he might expect a request to recommend a successor to him. He replied that, singularly enough, he had just received a letter from the Secretary of War stating that General Bliss, who himself was to reach retiring age in 3 months, was to succeed General Scott, and asking General Pershing if General Biddle could be spared for the position of the assistant, only one then, to the Chief of Staff. We discussed General Biddle for a moment, of whom we both held high opinion, General Pershing having known him intimately for many years. It seemed that if General Biddle were a success as assistant, he was probably in line for Chief of Staff. With every fine quality of loyalty, squareness, intelligence, and experience he was past the age of greatest energy. We were reluctantly of the opinion that he lacked a little of the iron which would be needed for the senior place, but thought that with an assistant who had it the combination would be an excellent one. General March at once came to the mind of both of us as an exemplar of the complementary qualification needed.

General Pershing recommended Biddle for assistant, and if later made Chief of Staff, suggested that General March be made the assistant. General Biddle was ordered to Washington and became Assistant Chief of Staff, acting as chief much of the time through General Bliss's absence in Europe on the Supreme War Council. Secretary Baker, who had known and thought well of General March, evidently approved General Pershing's letter regarding him. Early in 1918 General Biddle was returned to Europe and became commander of the SOS section in England. Major General March was ordered home to be made Chief of Staff, and held the position until June 30, 1921.

He had come to France in July 1917. As an experienced artilleryman of long service he was assigned by General Pershing to command the artillery training camp at Valdahon, and the Army Artillery of the First Army. Valdahon's importance to the American expeditionary forces was great and by no means to be estimated by its distance from the center of the stage. General March's untiring energy and driving force made it a center of activity.

The new Chief of Staff was now going to a position which any officer should be proud to occupy, even though at the cost of an opportunity to command troops in the theater of war. It was one—the number two and less conspicuous—of the two high positions of transcendental importance in our military organization in the greatest war in which our country has ever engaged. The laurel is an outdoor plant and seldom blooms from an office desk. General March left no doubt in the minds of those of us who had contact with him in his last days in France that he turned his back on the western front with great regret and only in obedience to orders. He would have been less a soldier if he had not continued to feel that regret throughout the war. Even a more sweet-tempered man than the new Chief of Staff might have found it impossible to bear that keenest disappointment that can come to a soldier without some bitterness and resentment. Future historians are so sure to take this into consideration in accounting for some of his official actions that there seems no impropriety in the present speaker giving it some weight.

It is not too much to say that there should have been but a single motive actuating the War Department in 1917 and 1918, and that was to do everything possible in every way to contribute to the success of the American arms. The whole war machinery existed only in order that we might do our full share in winning the war. The proper policy and the duty of the new Chief of Staff might have been stated in the simple sentence that he was to support the commander in chief of the American Expeditionary Forces in every proper way. The prestige that comes from being the chief military adviser to the President and the Secretary of War is very great. The presumption that when he speaks it is by that authority is very seldom questioned by the Army and is therefore

the more carefully to be guarded. The wording of official messages from the new Chief of Staff very quickly took on a rasping and irritating method of expression. This surely reflected no mood of Secretary of War Baker. If merely a mannerism, it was most deplorable. If it was the indication of a belief, then not yet stated in words, that General March himself personally was the military superior of the commander in chief, American Expeditionary Forces, it was worse, for such a belief had no justification in either law or custom of the service.

In delaying, for example, the promotion of Colonel Malone, who, as assistant chief of staff in charge of training, had differed from him on the matter of artillery training, though, of course, the Chief of Staff under the law could neither grant nor withhold promotion except by authority of the Secretary of War, General March said to General Pershing, substantially, "I" was not satisfied with the way he performed his duty as your staff officer. General Pershing had been satisfied with it and month after month had urged his promotion.

An injustice was done Colonel Malone. He was put out of step with the officers of his own time by his delayed promotion, and his career has suffered cruelly from it. A military adviser and mouthpiece to the Secretary of War—and that, in the cold meaning of the law, is all that a Chief of Staff is—set himself in judgment on the needs of the American Expeditionary Forces as urgently stated by the responsible commander in chief and presumed to grant or withhold what the latter said was necessary to their success.

Legislation adopted in October 1917 had provided the temporary grade of general for the commander in chief of the American Expeditionary Forces and for the Chief of Staff of the Army. When Major General March became Chief of Staff in the spring of 1918 his temporary rank became that of general, and as such he was junior to General Pershing by about half a year. Every attribute of command attached to the grade as held by General Pershing. No attribute of command attached to it as held by General March, except that as Chief of Staff he could give orders in his own name to the War Department General Staff. In every other function he performed he spoke only by the authority of the Secretary of War. Regulations then, as now, provided that the Chief of Staff, as such, takes precedence of all other officers of the Army—that is, he precedes them on all official and ceremonial occasions. This precedence carries no authority to give an order to any officer not a member of the War Department General Staff, except by giving it in the name of the Secretary of War. In the light of the very interesting book published by General March in 1932, there can be no doubt now that he thought himself the military superior of General Pershing and competent to give him orders by virtue of the authority inherent in such military superiority. Without warrant of law for the belief of such authority inherent in his rank or office, he may have convinced himself that some vestige of it adhered to him by virtue of being the vehicle of transmission for the commanding authority of the Secretary of War. It is as though the telegraph wire became glorified by carrying an important message.

Whatever the rasping tone of General March's cablegrams, however much his compulsory removal from the theater of war may have soured a disposition none too amiable, and however much the intoxicating aura that surrounds the office of the Secretary of War may have contributed to his hallucination of military superiority over General Pershing, the fact remains that no Chief of Staff who ever sat in our War Department exceeded him in driving force and ability to get things done. Beset by newspapermen, hectorated and interrupted by the elected Senators and Representatives of the people, and with the million details of the administrative end of a great war as his responsibility, General March kept his mind and body on his tremendous task and well accomplished it. His country owed him more than the omnibus legislation which restored his war-time rank in retirement with hundreds of others.

In late July 1918, General Pershing received a letter from the Secretary of War which, in substance, stated that to save him from too much worry by detail, it had been suggested that General Goethals be sent to France to command the services of supply as a coordinate authority with General Pershing, reporting direct to the War Department. General Goethals at that time was the principal subordinate of the Chief of Staff in the War Department and an obvious successor of that officer in case a change was made. To take from General Pershing the control of his own military supply was an action unprecedented in military history, so far as my information goes, and regarded by him and all of his staff as a step fatal to the success of the American arms on the western front. It would have created a two-headed combination for control of American military matters in France and would have divided not only authority but responsibility between Pershing and Goethals. It could have had but one result, which we may hope that no one advocating it in the War Department foresaw, and that is failure in which both Pershing and Goethals would have been involved. Their independent activities would have required a common superior to coordinate them and a single individual would have again been given the command.

These potentialities were at once apparent to General Pershing, who replied to the Secretary of War that he had for some time been dissatisfied with the management of the services of supply, and had already determined to send there Major General Harbord, who had been Chief of Staff through the organization period of the American Expeditionary Forces, and more recently in command of combat troops. He urged that General Goethals be not sent as contemplated. He was then informed that the temporary detail of General Harbord to command the services of supply was ap-

proved until the expected visit of the Secretary of War in September, when final decision would be made. The suggestion was not renewed when Secretary Baker came to France. He concurred in the assignment.

Thus it was the play of personality and personal relations on both sides of the Atlantic which gave a new commander to the services of supply in late July 1918, and that sent there a particular officer. With the change there was an extension of authority to the commanding general of the SOS by permitting him to cable directly to the War Department on matters on which the policy had already been determined by the commander in chief. This authority had never been extended to his predecessor. It instantly speeded up the machinery by shortening the time for getting requisitions to the War Department. The personal relationship between the new supply chief and the commander in chief enabled the former to handle many matters directly with the latter. It also served as more or less of a "Keep off the grass" sign to ambitious staff officers at general headquarters.

In the summer of 1917 General Pershing had determined on breaking with the traditions of the old Army by creating a director general of transportation. The Quartermaster Corps had long handled all transportation matters during peace. The field-service regulations assigned military railways to the Engineer Corps in war. Upon communicating this determination to the War Department, he very soon received a cablegram from the acting Chief of Staff, General Bliss, saying that the directors of the Pennsylvania Railroad had patriotically offered the services of their operating vice president, Mr. Wallace W. Atterbury, to organize and operate transportation for the American Expeditionary Forces, on condition that he be given an entirely free hand, reporting only to the commander in chief. General Pershing replied, pointing out the impossibility of accepting the services under such conditions and that it was not practicable to emancipate anyone in the command from staff control, or to promise that any agent or instrumentality of the American Expeditionary Forces could always have access to or deal exclusively with the commander in chief. This cablegram must have been lost in the mountain of unopened and unread messages said to have existed in the mail and record room of the Adjutant General's office at that time, as stated by Major General March in conversation on his arrival in France. At any rate, within a fortnight Mr. Atterbury reported to General Pershing. Evidently he had not been informed of the general's view on the condition imposed by the Pennsylvania, but General Pershing supposed that he had been, and the subject was not mentioned during their interview and not until long after.

The new director general of transportation was made a brigadier general in the autumn of 1917. Under the assignment of duties to the Transportation Corps, as the officers and men under General Atterbury came in time to be, an article of supply arriving on transports immediately became its responsibility. The transportation people handled it every time it was moved until it was delivered to troops at the railroad. In each port there was a transportation officer who reported directly to General Atterbury. To do his work of unloading and transferring freight to storage or trains this officer had to use stevedore troops, who, when not actually engaged in labor under his orders, reverted to the command of the base section commander, who was responsible for their subsistence, clothing, shelter, pay, instruction, and discipline. The transport officer never knew at night what number of men he could count on for the next day nor in what condition they would be for work. The base section commander had no responsibility for their accomplishments. The misunderstanding under which General Atterbury had come to France, and which had by inadvertence been perpetuated, had resulted in this inefficient arrangement. Delays also arose from the fact that the commander in chief could not always be accessible for consultation by the director general of transportation, who sought counsel and direction from no one else.

By the winter of 1917-18 matters of detail were crowding on the commander in chief and occupying his time to the exclusion of the more important nonadministrative matters which were entitled to his attention. Some 22 heads of staff bureaus and departments were going to him for decision, all of them being his staff officers and by long custom of the service, and in some cases by law, entitled to personal access to him. This was remedied by a change which was made placing the supply chiefs on the staff of the commanding general of the services of supply, and assigning them, including the director general of transportation, to Tours. It does not seem probably that the proper relations of the Transportation Corps to the remainder of the staff were made clear to General Atterbury until the late summer of 1918. The commanding general under whom he first served at Tours, in some respects one of the ablest men of his time in the service, was a lawyer by instinct and training, inclined somewhat, I think, to consider that a thing was accomplished when the order for it had been given from his desk. There appears to have been little or no effort to smooth General Atterbury's path or to help solve his difficulties, which were many. His transportation units were still in regiments, battalions, and companies. The units did not fit railroad and transport duty—too many men and officers in some places; too few in others.

Just before the change in the command of the services of supply, which occurred at the end of July 1918, tension between the commander and the director general of transportation really threatened to deprive the American Expeditionary Forces of General Atterbury's services. A board on which both he and the commander and general headquarters were represented attempted

to work out disciplinary and administrative relations. The commanding general, services of supply, had thrown his disciplinary authority into arbitration on an equality with his subordinate—who, in all fairness, could not be held responsible for a situation which he was encountering for the first time. With the change of command in the services of supply the proceedings of this board were filed in "the archives of unachieved endeavor" and were seen no more. The necessity for coordination under base section commanders was explained, and loyally accepted when understood. The corps organization was adopted and regiments and battalions merged into the Transportation Corps. Trouble and friction ended, and the corps under General Atterbury became one of the outstanding successes of the American Expeditionary Forces. These changes were worked out through personal relationships, and the give-and-take of personalities united in an effort to solve difficulties that had arisen under circumstances with which all of us were but newly acquainted.

No address that dealt with personalities of the American Expeditionary Forces would be complete without reference to Gen. Douglas MacArthur and Maj. Gen. George Van Horn Moseley, whom I link together because at the time this paper is written they are, respectively, the Chief and Deputy Chief of Staff of the Army. The former came over as chief of staff of the Forty-second Division, the famous Rainbow.

He was the youngest division commander in the American Expeditionary Forces when the armistice came. Dashing and picturesque, he must have been to the few survivors of the Civil War, the very reincarnation of his gallant father. As a youthful but senior major general of our Army, any story of him written now might lack its best chapters. His deputy, with whom I served as a captain in the old First Cavalry, of blessed memory, was one of General March's outstanding artillerymen at Valdaon. Already an officer of General Staff experience, Moseley was early taken from the command of the Fifth Field Artillery, to succeed the brilliant William D. Connor as assistant chief of staff G-4 of the American Expeditionary Forces. It would be difficult to overstate his efficiency in that position. Made a brigadier when the national defense reorganized the Army in 1920, he has moved steadily on to a major generality, with the exception of a few months, when he was a victim to political expediency in 1921.

In the hurried months of my brief tour with combat troops in the early summer of 1918 I had close association with one of the strong personalities of the American Expeditionary Forces and the Army. I refer to Maj. Gen. Preston Brown, at that time a colonel and the chief of staff of the Second Division. Like myself, he was a promotion from the ranks. A graduate of Yale, the university authorities were much more willing to award him a degree when he came home from the World War than when he completed his course in the nineties. He was a pillar of strength in the Second Division, a remarkable reader of men, a keen detector of inefficiency, and an expert deflator of stuffed shirts. He had more than earned his stars by midsummer, and after a brief period with a brigade commanded the Third Division in the last days of the Meuse-Argonne.

Personality is powerless without opportunity. It is probably true, as one of the successful division commanders of the American Expeditionary Forces remarked, "The official life of every high commander in the American Expeditionary Forces hung by a thread." That may refer to the shortness of official life at the front, the casualties that sometimes ended a career without ending a life, or, again, to the fatalistic chances which affected many outstanding careers. What might have been is always an interesting field for conjecture. It has been the central thought of many a work of fiction. It has been the consolation of dreamers in all ages. The distance of the American Expeditionary Forces from the War Department, the uncertainties, misunderstandings, and delays arising from cipher and code communication by no means as perfect then as now—all played a part in the hopes and ambitions of men and officers on the western front.

Maj. John L. Hines had been adjutant general with the Pershing expedition in Mexico and came to France as the second adjutant in rank to Colonel Alvord. He early sought command of troops and in the autumn of 1917 was assigned to the Sixteenth Infantry. Within a week General Alvord was suddenly invalidated to Cannes, and Maj. Robert C. Davis, though not the senior in the office, was directed to carry on the department in the absence of his chief. A week earlier the illness of The Adjutant General would have placed Hines in charge of the office. The American Expeditionary Forces would have lost one of its most distinguished corps commanders and the Army a future Chief of Staff. Davis would not have become the efficient adjutant general of the American Expeditionary Forces or the most conspicuously able The Adjutant General of the Army in my time.

Maj. Gen. Hunter Liggett, with his chief of staff, Col. Malin Craig, was one of the division commanders who, in late 1917, came over for educational experience at the front. It was decided to retain them for commanding general and chief of staff of the First Corps, and cable for authority was sent to the War Department. Days passed and they were on ship ready to sail, when the cablegram was found in the code room, at general headquarters, received but mislaid. The responsible officer in the code room was court-martialed. The Army might have lost a lieutenant general and successful Army commander, as well as a future chief of Cavalry, and major general of the line, if another hour had elapsed with the cablegram undelivered.

Maj. Gen. James W. McAndrew, the very able and efficient chief of staff of the American Expeditionary Forces during the period of active operations was by accident of assignment a colonel of

Infantry in the First Division, the earliest unit to arrive. Seniority put him in the list who were made general officers in early August 1917. He was an outstanding graduate of the service schools and was selected because of it to command the Army school at Langres. By May next year his success there had so attracted the attention of the commander in chief that when Harbord was sent to the marine brigade, McAndrew was made chief of staff. When the former was selected to command the services of supply, having been formerly chief of staff, the opportunity for some jealousy or friction existed, but nothing of the sort ever occurred, and it was a team that worked smoothly together. General McAndrew was a very exceptional officer, and his untimely death as commandant of the Army War College in May 1922 was a serious loss to his country.

Col. Hanson E. Ely was one of the commission which came to France coincident with the arrival of General Pershing, to study organization. His retention was requested, and he was left without assignment. General Pershing made him provost marshal general. Colonel Ely was not so enamored with his new duties that he did not welcome a belated detail to the General Staff which followed him to France, and released him to be chief of staff of the First Division. When he next crossed my horizon, he had won a medal of honor during the Boxer campaign by jump-off of Cantigny. He commanded the Third Brigade under me at Soissons, and 3 years later the same brigade at Camp Travis, Tex. But in the meantime he had been a major general, commanding the Fifth Division. He again wore the double stars, and, among other important duties, was a successful commandant of the Army War College before he retired from active service.

The American Expeditionary Forces rated two lieutenant generals, Liggett and Bullard. The latter started to France as colonel of the Twenty-sixth Infantry, and was promoted at sea to be a brigadier. When in August 1917 all regular brigadiers were promoted to major general, he became one without a command, there being but the one division in France at the time. He was in charge of the several service schools when General Sibert's relief from command of the First Division, with Bullard standing by in the south of France, gave General Pershing an opportunity to assign him to it. He became in succession a corps and Army commander, but his greatest fame is in my mind linked with the splendid First Division. Nothing finer was seen in the war than the grim determination which made Bullard stand up to his work for months when, by every rule of health, he should have been in a hospital. He is still paying the price.

In the group of officers who accompanied General Pershing to France were two outstanding personalities destined to very directly influence the men and morale of the American Expeditionary Forces. These were Col. Andre W. Brewster, the inspector general, and Col. Merritte W. Ireland, of the Medical Corps. The former had won a medal of honor during the Boxer Campaign by jumping into the tawny tide of the Pei-Ho under fire and rescuing a wounded soldier of his company from drowning. He had been a far traveler in foreign lands and knew our Allies well. His soldierly character made him a great influence for discipline and deportment. He early became a major general and, like the knightly gentleman that he is, cheerfully endured his disappointment in not having a command. Colonel Ireland was General Pershing's choice for chief surgeon, but Colonel Bradley, senior to him, was already in Europe and designated for the duty. The latter, a very able officer, was not in robust health, and, when he fell before the medical examination in early 1918, Ireland became chief surgeon of the American Expeditionary Forces. He quickly achieved the reputation that made him the conspicuously successful chief of his corps for a longer period than any of his predecessors. Both of these officers are major generals on the retired list.

When we sailed for Europe on May 28, 1917, General Pershing found on the Baltic a friend from his Russian-Japanese War days, the eminent war correspondent, Frederick Palmer, whom he had known on the Manchurian front. Palmer, an interpreter of wars from his youth, sought the colors in the summer of 1917 and became a major, serving with the press and intelligence section. In the dark days of the following winter he returned, for some months, to America, and not only personally told the story of the American Expeditionary Forces from the lecture platform but his book, *America at War*, was a powerful influence on public opinion at home. As an author his writings will constitute important material for other and later historians.

Though he was never strictly a part of the American Expeditionary Forces, his duties in Europe may be said to have been tangent to it, and Gen. Tasker H. Bliss was a personality of tremendous potentiality. Chief of Staff for a brief 3 months which terminated with his statutory retirement for age, December 31, 1917, he was the American member of the Supreme War Council at Versailles. He was without doubt the most highly educated member of our Army in his generation. He knew Latin and Greek as he knew English. He had a workable command of French, Spanish, German, and Italian. He was an authority on oriental botany. He was widely read in the military history of the world and a student of all branches of the military profession. He came to France with the entire confidence of the President and Secretary of War, whose confidential staff officer he had been. He was an older man than General Pershing. He undoubtedly had opinions of his own on events as they were happening. He was a member of a council which had infinite capacity for harm and, in my opinion, little utility for good. He could, with the best of intentions, have involved General Pershing in every kind of difficulty. But he "played the game" in every particular, supporting

the commander in chief, and demonstrated lofty patriotism as well as professional and personal wisdom. The President leaned on him heavily during the Peace Conference, of which he was a member. With no test of his ability as a high commander of troops, no American need hesitate to agree that he was a great military statesman.

Any address which purports to deal with personalities and personal relations in the American Expeditionary Forces must, of course, be fragmentary and incomplete. Ours was perhaps the most individualistic army that ever went to war. There were over 2,000,000 personalities in the American Expeditionary Forces, some thousands of them, no doubt, strong and outstanding. Personality is largely the impression which one person makes and leaves upon another. My opportunities for meeting and observing the other members of that great organization were perhaps better than those of anyone else except the great commander in chief himself. But, after all, mine were largely the fleeting contacts which registered an impression of the moment. The apprehension I feel in trying to make this address measure up to such a title as I have given it is not that I shall include personalities that do not belong in such a category but that some real personalities have been omitted out of regard for those who have had to listen to an address now already too long.

Time flew over our heads in those busy days of 1917 and 1918. There was little and in some cases no time to secure discipline, esprit de corps, and cohesion, not to mention instruction by the time-honored methods. What was accomplished was largely due to the adaptability of Americans and their comprehension that what we call discipline must be maintained if their mission was to be accomplished in such fashion as to permit them to return to their homes in the shortest possible time. That was what they all desired. When the armistice was signed, which to their minds signified the end of the war, there was a great pressure brought to send "the boys" home at once. They all wished it. Most of them thought it a fine idea to come by way of Paris, and the thinking ones who realized that the entire American Expeditionary Forces could not take transports for home on November 12 or 13, eagerly hoped that the necessary delay might be passed in that attractive city.

General Pershing, who realized how much of their discipline was self-imposed and how incomplete was the training of some of the later arrivals, knew that the armistice, though everyone hoped that it had ended the war, was actually merely an agreed cessation of hostilities for a month. Our troops were still under command of the Allied commander in chief. The forces of the Allies had still to be kept intact for many months. The effect of idleness on a command in such circumstances is very deleterious to health and discipline. The great majority of the soldiers of the American Expeditionary Forces were men whose age justified the belief that if trained properly they would be a military asset to our country for 15 or 20 years to come if their services should again be needed. General Pershing therefore instituted a rigid program of instruction and carried it out. His great personality was never better demonstrated than in the unswerving firmness with which he enforced this program. Coincident with it was the fact, which our country has never appreciated, that he sent the armies home free from venereal infection. No army in history has had such a record in this particular. Generations yet unborn, and our whole national life to come, will owe a debt of gratitude to him which cannot be overstated in history.

The immediate effect of these things on the American Expeditionary Forces, however, was a great unpopularity for the commander in chief. They looked for someone on which to put the responsibility for the delays and the precautions. The censor had done its work well, and they knew no one on whom to blame them except General Pershing. As the credit for what was done was his, he had with it to bear the onus of unpopularity. The first men to be returned to the United States were, naturally, casualties. They came back as individuals or as members of temporary organizations without discipline or esprit de corps, some of them sick and disabled, full of soldier ideas about the discomforts of the ports of embarkation. To be met by reporters eager for news of the returning armies was a strange and new sensation to most of them. They were free from restraints that had bound them for many months, and they used the new-found freedom. Time, however, has brought the realization to those now middle-aged men, that what is their greatest pride and frame is inseparably bound up with their great leader. Individual claims and stories of war experiences that do not diminish with the passing of the years must for their authenticity depend upon the fact that they were well commanded on the western front, and that the man who did it was John J. Pershing.

The commander in chief throughout the World War bore himself always in the most distinguished way. His life since his return has been devoted to two great accomplishments, the national defense plan and the proper marking of the battlefields forever immortalized by the success of the American arms. He long since became a great national figure, standing out above the lesser men of our times. He has never forfeited the confidence of his countrymen by any misstep in speech or action, by any error in judgment, or conduct, or in any other way. Since Washington, no other of our national heroes has completed the natural span of life with such an unbroken continuity of respect, esteem, and affection from the American people.

INTERNATIONAL RELATIONS—ADDRESS BY HON. CORDELL HULL

Mr. KING. Mr. President, I ask unanimous consent to have inserted in the RECORD an address delivered by Secretary

of State Hon. Cordell Hull on Saturday, April 29, 1933, at the annual dinner of the American Society of International Law, at the Willard Hotel, Washington, D.C.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. President, ladies, and gentlemen of the American Society of International Law, I have just been informed that I have been elected by this distinguished society as an honorary vice president. I do not know what rights, duties, powers, or privileges attach to the office, but what I am now experiencing very forcefully reminds me that the immunities are not very far-reaching.

At the time I promised Dr. Scott that I would be here tonight I had more in mind enjoying the fellowship of members of this learned society, whose interests are so closely identified with my own, than any intention to state or restate canons of international law. I am, however, glad to receive the very encouraging information that has come to me this evening that many of the involved and troublesome problems on the international horizon have not only been ably and scientifically discussed by this organization but that actual solutions have been found for problems that have perplexed international jurists and statesmen from the time of Grotius to the present time.

It is an amazing commentary on the human race that international law was virtually unknown during the first 3,000 years of history; that it was only at the end of the Thirty Years War, with its indescribable brutalities and savagery that the great Dutch jurist really founded this system of law, and that persistent effort through succeeding centuries was necessary to extend it to the preservation of peace as well as the regulation of warfare.

This phase, however, is not so surprising when we recall that the term "human rights" was scarcely conceived until within the past 800 years, and that the common lot of 90 to 95 percent of the human race, until within the past 200 years, was that of slavery, serfdom, or enforced war service, mainly to gratify the ambition of rulers.

I feel that you and your associates everywhere who are engaged in the development of international law have reason to take great pride in the fact that while late in its origin and adoption this system has grown more rapidly than any other branch of the law.

Relations between nations, no less than relations between individuals and their communities, are dependent upon mutual respect for and confidence in each other, and these in turn are dependent upon frankness and honesty of purpose. There is, therefore, for the nations in their relations with each other, a code of ethics, without the observance of which international confidence is warped and weakened. International law and modern rules of diplomacy are based on essential ideas of that conduct which will best serve the interests of the community of nations. There could not be omitted from any enumeration of basic tenets of international conduct the equality of States, and the insistence that foreign governments shall respect the equal position of each other and their rights under international law. The great immediate objective, however, should be progress in the enforcement and observance of international law and usage, the high purpose of which is to regulate the behavior of people in their relations with one another in the common interest.

The present utterly chaotic and dislocated conditions—political, economic, and moral—in every part of the world, present a terrifying crisis. International treaty obligations are flouted, the sanctity of contracts is complacently ignored, while force and violence are either indulged in or threatened in different parts of the world; the international exchange and monetary situation loudly call for stabilization; the commodity prices in world markets are in a state of collapse; international finance and trade are almost dried up. The internal affairs of each nation are in a still worse plight, with vast unemployment, damned-up surpluses, price dislocations, depreciated currencies, and extreme agricultural distress.

Hundreds of millions of suffering and desperate people in the various countries are not in a state of mind to function at all normally or to manifest serious concern about other problems and conditions, no matter how important, until and unless they first secure relief from their economic ills. They are hopelessly engrossed with these frightful and unbearable conditions. Another phase of this psychology, significant as it is dangerous, is the possibility of social disturbances and uprisings easily leading to wide-spread disorders. It is also true that most modern military conflicts and other serious international controversies are rooted in economic conditions, and that economic rivalries are in most modern instances the prelude to the actual wars that have occurred. The restoration of fair, friendly, and normal trade relations among nations at present would not only avoid serious economic, military, and political differences between countries in the future but would go far toward composing those now existing.

All important countries since the war have pursued the same policy of economic isolation or aloofness, and all alike plunged into the world panic. Each nation has struggled during the past 3½ years by bootstrap methods to extricate itself from the unprecedented panic conditions, but thus far without satisfactory results. It follows beyond question that suitable business recovery must be preceded by the restoration of international finance and commerce, the alternative to which is a continuance of the unsound economic policies under the operation of which the entire world since 1929 has been in the throes of an unspeakable depression.

The awful plight of all countries offers proof conclusive of the break-down of leadership and the bankruptcy of statesmanship in every part of the world. Governments have been more responsible for the present world economic dislocations than for any similar conditions in the past. In my judgment, the destiny of history points to the United States for leadership in the existing grave crisis. Present-day statesmen in charge of governments of the various nations, in my opinion, must immediately realize that the people of each country alike are living in a new age with new and transformed economic conditions calling for more modernized policies which are vital and basic to satisfactory business recovery, and see to it that such remedial action is taken.

Many years of disastrous experience, resulting in colossal and incalculable losses and injuries, utterly discredit the narrow and blind policy of extreme economic isolation. The present world state of economic war not only strikes at the very vitals of international commerce but it may also gradually infect the whole fabric of international relations. In short, healthy international relations depend no less upon a properly regulated exchange of goods and commodities than upon courteously phrased diplomatic exchanges. Let me add, too, that international commerce is the lifeblood of civilization.

It shall be my purpose, so long as I occupy my present position at the State Department, to show in my dealings with foreign nations that neighborly attitude and sympathetic understanding that we expect other nations shall adopt toward us. Lack of understanding is the parent of fear no less in diplomatic relations than it was among the superstitious heathen tribes in remote ages. Important conversations are now taking place between leading statesmen of Europe and our President. Men who seek to arrive at common accords are endeavoring to understand each other, and to start a course designed to promote in a reciprocal manner their common interests. It is a great satisfaction to one who is confronted with the tasks devolving upon the Department of State to realize how, in meeting the problems that are our daily portion, the interests of our Government and our people seem so clearly to coincide with the interests of humanity. What the world is sparring for today, under the urge of economic pressure, is a fair opportunity to which all are entitled under every known law.

This society of international lawyers, students, and teachers of international relations, whose interest in the strengthening and development of international law is excelled by no other organization, has an important part in molding the intelligent thought of the American people. You are also in a position to play no small part in promoting in the other nations a greater feeling of confidence, respect, and good will toward our Nation and our people. By such accomplishments will the shackles to international trade and commerce be loosed, the wheels of American industry set in motion, and the great burden of depression removed from our land.

In brief, no nation is sufficient unto itself. The normal life of a nation, no less than that of an individual, is one of association with others. If the nations must depend, one upon the other, in the normal development of their social, intellectual, financial, and political well-being, they of necessity must do so in accordance with certain standards of conduct which we may term international ethics. By this we mean honesty of purpose, frankness of expression, and a proper regard for the rights of others as members of the great family of nations.

MUSCLE SHOALS

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate resumed consideration of the bill (S. 1272) to improve the navigability and to provide for the flood control of the Tennessee River, to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama; and for other purposes, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. NORRIS. Mr. President, I ask unanimous consent that the formal reading of the bill may be dispensed with, that the bill may be read for amendment, committee amendments to be first considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

Mr. KING. Mr. President, will the Senator yield in order that I may call for a quorum?

Mr. TYDINGS. Will the Senator from Utah withhold his request for a moment?

Mr. KING. Yes.

Mr. TYDINGS. May I ask the Senator from Nebraska if, this afternoon, it is his intention to point out the difference between this bill and the House bill on the same subject?

Mr. NORRIS. Yes; I can point out the difference if any Senator desires me to do so, but I should like to have the request which I have made put, Mr. President.

Mr. KING. I have no objection to the request of the Senator from Nebraska.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Coolidge	Keyes	Reynolds
Ashurst	Copeland	King	Robinson, Ark.
Austin	Costigan	La Follette	Robinson, Ind.
Bachman	Couzens	Logan	Russell
Bankhead	Cutting	Loneragan	Sheppard
Barbour	Dickinson	McAdoo	Shipstead
Barkley	Dill	McCarran	Smith
Black	Duffy	McGill	Steiwer
Bone	Erickson	McKellar	Stephens
Borah	Fess	McNary	Thomas, Okla.
Bratton	Fletcher	Metcalf	Thomas, Utah
Brown	Frazier	Murphy	Townsend
Bulkley	Glass	Neely	Trammell
Bulow	Goldsborough	Norbeck	Tydings
Byrd	Gore	Norris	Vandenberg
Byrnes	Hale	Nye	Van Nuys
Capper	Harrison	Overton	Wagner
Caraway	Hayden	Patterson	Walcott
Carey	Johnson	Pittman	Walsh
Clark	Kean	Pope	Wheeler
Connally	Kendrick	Reed	White

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present. The clerk will state the first amendment reported by the committee.

The first amendment of the Committee on Agriculture and Forestry was, on page 7, line 2, after the word "donations", to insert the words "for sale", so as to read:

(e) Under the authority of this act the board may make donations or sales of the total product of the plant or plants operated by it to be fairly and equitably distributed through the agency of county demonstration agents, agricultural colleges, or otherwise as the board may direct, for experimentation, education, and introduction of the use of such products in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of use of same.

The amendment was agreed to.

The next amendment was, in section 24, on page 22, line 18, after the word "section", to strike out the figures "24" and insert the figures "23", so as to make the section read:

SEC. 24. The President shall from time to time, as the work provided for in section 23 progresses, recommend to Congress such legislation as he deems proper to carry out the general purposes stated in said section and for the especial purpose of bringing about in said Tennessee drainage basin in conformity with said general purposes (1) the maximum amount of flood control; (2) the maximum development of said Tennessee River for navigation purposes; (3) the maximum generation of electric power consistent with flood control and navigation; (4) the proper use of marginal lands; (5) the proper method of reforestation of all lands in said drainage basin suitable for reforestation; and (6) the most practical method of improving agricultural conditions in the valleys of said drainage basin.

The amendment was agreed to.

Mr. NORRIS. Mr. President, that is all the committee amendments. I have several amendments which I desire to offer. On page 2, line 22, I move to strike out "fifth" and insert "third"; in the same line, to strike out "tenth" and insert "sixth"; in line 23, to strike out "fifteenth" and insert "ninth"; and in line 1, page 3, to strike out "fifteen" and insert "nine." These amendments relate to the same thing, and they all ought to be adopted or none of them. They refer to the term of office of the board, and make the term 9 years instead of 15. The amendments make the bill correspond with the bill passed by the House, and I have some hope, if this change shall be made, that the House will agree to the Senate bill when it is sent over as an amendment to the House bill. I will ask to have all the amendments just suggested by me acted upon at once.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The question is on agreeing to the amendments submitted by the Senator from Nebraska.

The amendments were agreed to.

Mr. TYDINGS. Mr. President, I have no objection to the amendment, but if convenient to the Senator from Nebraska, it would help me to understand if I knew just what difference there was between the bill as passed by the House and the Senate bill which is now before us. I apprehend that some of the amendments which the Senator will offer will be better understood, at least by me, and I expect by other Senators, if we may have a rough synopsis of the two bills.

Mr. NORRIS. Mr. President, since we have passed this bill so many times through the Senate I felt just a little embarrassed about taking up the time of the Senate in going over it again. I shall be glad, however, to do so, and the Senator has made a very proper request.

Mr. TYDINGS. Mr. President, will the Senator yield again?

Mr. NORRIS. Yes.

Mr. TYDINGS. It is not so much that I desire information concerning the Senate bill, but I know there is another bill, a copy of which I have on my desk, which has just come to us from the House, and I was wondering not so much what the Senate bill contained as what the difference between the two bills happens to be.

Mr. NORRIS. Very well. I will try to explain the two bills.

Mr. BLACK. Mr. President—

Mr. NORRIS. I yield to the Senator from Alabama.

Mr. BLACK. If the Senator has some formal amendments like the ones already submitted and one or two others which he may desire to offer, I think it might be all right to act on them, unless the Senator from Maryland prefers that the Senator from Nebraska should now proceed.

Mr. NORRIS. I will take either course. I will answer questions first or ask to have action on the amendments first.

Mr. TYDINGS. The amendments, I understand, do not change the philosophy of the bill, so I see no reason why they should not now be adopted.

Mr. McKELLAR. I suggest that the amendments be adopted, Mr. President.

Mr. NORRIS. Very well.

Mr. BANKHEAD. Mr. President, under the procedure can I offer an amendment later?

Mr. NORRIS. Oh yes; there will be no attempt whatever to shut out amendments.

Mr. BLACK. Mr. President, when the Senator reaches page 17, I have a suggestion which I am sure will be satisfactory to him. I discussed it with him this morning. It occurred to me that perhaps the Senator's purpose would be better accomplished if we strike out line 24 on page 17, and in line 1 on the next page through the word "Congress." In other words, the bill provides generally at its end an authorization for an appropriation to build the Cove Creek Dam and all other portions of this project, and the clause I have referred to would seem to be in conflict with the general authorization, because it would seem to make it necessary hereafter to have both an authorization and an appropriation.

Mr. NORRIS. The Senator talked to me about that particular part of the bill this morning, and I think the Senator's suggestion is a good one. I intimated to him then that I thought we ought to strike out, on page 17, line 24, the words "to be made available", because I think that is all cared for in a section near the close of the bill where appropriations are authorized.

Mr. BLACK. That is true, and it would seem to make it necessary later to secure an authorization, when there is an authorization provided at the end of the bill which would include this item.

Mr. NORRIS. Yes; it would seem so, and when we reach that page I will offer the amendment as suggested.

Mr. President, on page 6, line 4, I move to strike out the words "and directed."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. NORRIS. On the same page, line 21, after the "(d)", I move to insert the words "In order to improve and cheapen the production of fertilizer."

Mr. FLETCHER. Where does that amendment come in?

Mr. NORRIS. At the beginning of line 21.

Mr. BANKHEAD. On what page?

Mr. NORRIS. On page 6, right after the "(d)" in line 21, so that it will read:

In order to improve and cheapen the production of fertilizer the board—

And so forth.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. NORRIS. In the same line I move to strike out the word "shall" and insert the words "authorized to." If this amendment shall be agreed to, the provision will read in this way:

In order to improve and cheapen the production of fertilizer the board is authorized to manufacture fixed nitrogen—

And so forth.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. SMITH. Mr. President, may I ask the Senator from what page and line he was reading?

Mr. NORRIS. Page 6, line 21.

Mr. SMITH. Paragraph (d)?

Mr. NORRIS. Yes.

Mr. SMITH. The present language is "the board shall manufacture fixed nitrogen at Muscle Shoals", and so forth?

Mr. NORRIS. Yes; and as amended it will read:

In order to improve and cheapen the production of fertilizer the board is authorized to manufacture fixed nitrogen—

And so forth.

Mr. President, on page 7 the committee amendment, in line 2, has been agreed to. I desire to offer a further amendment in the same line, to strike out the word "total", so the sentence will read:

Under the authority of this act the board may make donations or sales of the product of the plant or plants operated by it—

And so forth.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. FLETCHER. Mr. President, may I ask the Senator a question? Will these changes leave the matter so that the board is not directed to do any of these things?

Mr. NORRIS. Yes. For instance, we struck out "directed." I did not know that particular language was in there. I think it was in the prior bill and escaped notice in rewriting this bill. It would have read:

The board is authorized and directed to make a contract with commercial producers for the production of fertilizer, fertilizer material—

And so forth. In other words, in carrying out their fertilizer experiment, if they followed it technically, they would be compelled to buy fertilizer of private producers of fertilizer.

Mr. FLETCHER. I had particular reference to the changes made in subdivision (d). If the changes go into effect the matter is entirely one of discretion in the board whether they shall manufacture fertilizer or not?

Mr. NORRIS. Yes.

Mr. FLETCHER. They are not compelled to do it?

Mr. NORRIS. They are not compelled to do it under that paragraph.

Mr. FLETCHER. It is all a question of whether they think it wise or proper to go into the manufacture of fixed nitrogen at all?

Mr. NORRIS. That is true. Under the terms of the bill they will have to manufacture fixed nitrogen, but they will not be required, for instance, to use existing facilities. For instance, they could manufacture and I think any study of the subject will convince anybody that they will manufacture fixed nitrogen under the synthetic process, which is

much improved over the other process, although the bill gives them authority to use the other as well.

Mr. FESS. Mr. President, may I suggest to the Senator from Nebraska that the rule of the Senate be observed and that amendments be read at the desk?

Mr. NORRIS. Most of the amendments I shall offer I have prepared and shall be glad to send to the desk. However, they involve just the change of a word or a part of a phrase or some minor change of that sort.

Mr. FESS. I agree with the Senator, but I think they should be stated at the desk.

Mr. NORRIS. I simply did not think that was necessary inasmuch as I was stating them.

Mr. FESS. Otherwise we may have confusion.

Mr. NORRIS. Very well, I shall be glad to comply with the Senator's suggestion. On page 7, line 18, I move to strike out "the board shall have power" and commence the next word "to" with a capital letter. That makes it consistent with the remainder of the paragraph enumerated under this section.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 7, line 18, strike out the words "the board shall have power to" and insert the word "To."

The PRESIDING OFFICER. Without objection the amendment is agreed to.

Mr. TYDINGS. Mr. President, may I ask the Senator from Nebraska a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. NORRIS. Certainly.

Mr. TYDINGS. On page 6, section 5, subsection (a), I observe that the words "and directed" have been eliminated in the line just above.

Mr. NORRIS. Yes.

Mr. TYDINGS. So that all of these powers are authorizations rather than directions?

Mr. NORRIS. Yes.

Mr. TYDINGS. Under subsection (a), as I understand it from a hasty reading, the board would have the power "to contract with commercial producers for the production of such fertilizer or fertilizer materials as may be needed for the Government's program of development and introduction in excess of that produced by Government plants." As I read that, I assume the idea in mind is that the board down there could make contracts with private fertilizer concerns to buy up their output?

Mr. NORRIS. Oh, no; that is not the idea at all.

Mr. TYDINGS. It is not?

Mr. NORRIS. Oh, no. The provisions of the bill taken as a whole constitute authority to the board to engage in experimentation in the production of fertilizer and fertilizer ingredients on a very large scale, always with the object of course of cheapening the cost of fertilizer. That particular language has been in practically every bill the Senate has passed in previous years. The reason why it was inserted was to leave no doubt. In the various experiments which will be undertaken the board might find in some experiments which they are undertaking that some fertilizer produced by some private corporation ought to be tested. They might want to experiment with it in connection with some fertilizer they themselves have produced. It may never occur, of course, but the idea was to give the board broad powers to make the experiment and not to handicap them.

Mr. TYDINGS. It was not the idea that the board would take over the private output?

Mr. NORRIS. Oh, no. In fact, when I come to it later the Senator will find that this is one of the differences between what I have always advocated for Muscle Shoals and what is contained in the House bill.

Mr. TYDINGS. Mr. President, will the Senator yield for another question?

Mr. NORRIS. Certainly.

Mr. TYDINGS. I am simply inquiring, not to take issue with the provision but to understand it a little better. The other sentence in that same subsection on page 6 is:

Such contracts may provide either for outright purchase by the Government or only for the payment of carrying charges on special materials manufactured at the Government's request for its program.

In view of what the Senator has already said, I think I understand what is in mind there, but I submit to the Senator whether it would not be possible, under that power and authorization, if the board desires to do so, to purchase a private fertilizer plant?

Mr. NORRIS. I do not think so. At least I do not want to give them that authority. I have no such intention.

Let me explain a little further about the provision. I think this provision was put in a bill I introduced here probably 10 years ago when I introduced it as a minority member of the committee, when we had the Ford proposal before us. I inserted this particular clause as well as some others. After quite a number of conferences, some of them very lengthy, with scientific men in the Bureau of Mines and in the Bureau of Chemistry, we had a conference with Dr. Cottrell, who, incidentally, is a man of international reputation on some matters contained in the bill. This language was put in the bill after conference with Dr. Cottrell, who thought it was necessary. He explained to me that probably there might arise a case where the board would want a contract with some private party to produce some fertilizer for their use. It might be in Indiana or Ohio or any State. The language gives the board authority either to buy it outright or to provide for the carrying charges that are necessary in carrying on the experiment. It may be that the experiment is being conducted on land at Muscle Shoals owned by the Government, or it may be that it is conducted on land privately owned in some other State.

Mr. TYDINGS. I think I understand the Senator. My interpretation is perhaps wrong, but in order that any doubt might be removed as to the authority given to the board to buy a private fertilizer plant or plants would it not be necessary to insert in that particular sentence the words "ingredient or ingredients", so it would refer only to the material rather than to the plant itself?

Mr. NORRIS. In what line?

Mr. TYDINGS. Let me read it:

Such contracts may provide either for outright purchase by the Government or only for the payment of carrying charges on special materials manufactured at the Government's request for its program.

I see the words "special materials" there. I think what the Senator said is pretty well borne out by the language, but when we read the first sentence, "such contracts may provide either for outright purchase by the Government", then I am in doubt.

Mr. NORRIS. I think we ought to change the word "Government" to "board." I am glad to have that suggestion made.

Mr. TYDINGS. I shall not press the other point, although I do think that it should read, "Such contracts for materials may provide either for outright purchase", and so forth. Does the Senator see what I am attempting to point out?

Mr. NORRIS. Yes; and I have no objection to the Senator's suggestion at all. We must all remember, however, that it is difficult to determine how far to go. We are trying to give the board the proper authority to carry on the greatest experiment that has ever been undertaken in the history of the world. That is what we are doing in the bill. It is for the cheapening of fertilizer. Everybody concedes we are justified in expending public money for that purpose. But in giving authority to the board we must make it broad enough and we must make it wide enough to have it include enough authority so they will not be hampered. We cannot tell in advance just what they may want to do.

Mr. TYDINGS. Mr. President, will the Senator from Nebraska yield further?

Mr. NORRIS. Certainly.

Mr. TYDINGS. I wonder if the Senator would have any objection to an amendment, so that the sentence would read:

Such contracts for materials may provide either for outright purchase by the board or only for the payment of carrying charges on special materials manufactured at the board's request for its program.

Mr. NORRIS. I have no objection to that.

Mr. TYDINGS. I think that would clarify it.

Mr. NORRIS. I am inclined to think that would improve the language.

Mr. TYDINGS. Will it be in order to offer the amendment now?

Mr. NORRIS. I will offer it if the Senator desires me to do so. I move to amend, on page 6, after the word "purchase," in line 10, by inserting the words "of materials", so as to read:

"Such contracts may provide either for outright purchase of materials by the Government," and so forth.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, line 10, after the word "purchase", insert the words "of materials."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. NORRIS. In the same line, page 6, line 10, I move to strike out the word "Government" and insert the word "board", and in line 12 to strike out the word "Government's" and insert the word "board's."

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 6, line 10, strike out the word "Government" and insert the word "board", and in line 12 strike out the word "Government's" and insert the word "board's", so as to read:

Such contracts may provide either for outright purchase of materials by the board or only for the payment of carrying charges on special materials manufactured at the board's request for its program.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

Mr. NORRIS. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 8, after line 3, it is proposed to insert:

Provided, That any invention made by an employee of the Government of the United States serving under this section, or by any employee of the corporation, together with any patent which may be granted thereon, shall be the sole and exclusive property of the corporation, which is hereby authorized to grant a license thereunder as shall be authorized by the board.

Mr. NORRIS. Mr. President, this language follows an authorization for the giving of assistance to this board by governmental officials in these experiments. If they take out patents while thus employed, this amendment provides that the patents shall belong to this board.

Mr. FESS. Is not that the law now?

Mr. NORRIS. It may be. I would not say.

Mr. FESS. It is the law.

Mr. DILL. Mr. President, let me say to the Senator that there is a recent decision of the Court to the effect that that is not the law unless there is a special provision to that effect.

Mr. FESS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Ohio.

Mr. FESS. Some 4 or 5 years ago, when Dr. Rittmann made the remarkable discovery in regard to the increase of the gasoline content in crude oil which added an enormous amount of wealth to the country, the doctor told me that under the law he had no advantage whatever of it, because the contracts of the Government require that. Rittmann was a personal friend of mine and used to be a student in the State University of Ohio, and I was in conversation with him about this remarkable discovery.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. ROBINSON of Arkansas. I think the distinction is that the Government usually incorporates in its contracts a provision that inventions by the employee signing the contract shall inure to the benefit of the Government. This makes it a matter of law.

I am wondering if the committee reporting the bill, or the Senator, have given consideration to the effect of an amendment which provides that no inventor who is employed by the Government shall derive any pecuniary benefit from his invention, the thought being this: While it is manifestly a questionable practice, and frequently unfair, to permit one who is employed by the Government to devote his time to a discovery or to an invention and then to obtain a profit from it when his time belongs to the Government, at the same time does it not tend to discourage exploration and invention by employees to provide by law that they shall not receive any benefit as a result of their genius?

Mr. NORRIS. Mr. President, there is a great deal in what the Senator says.

Quite a number of years ago, when I was Chairman of the Committee on Patents, I introduced a bill and succeeded in getting it through the Senate, but it failed in the House, and I tried to get it through the Senate in the next Congress and failed here, which provided that all Government employees who got patents were to turn them over to the Government. Then I think in that bill I authorized the President of the United States in any such cases to authorize payment to the employee who made the invention of whatever he thought was right to be paid to him; and I should not have any objection to such an amendment being offered here.

The truth is that the amendment we are talking about was suggested to me by a patent attorney. I would have laid it before the committee if I had had it in time, as I would all these other amendments; but the committee was very busy, its chairman being in charge of the farm bill, and I felt that I would not be justified in asking him to call the committee together for that purpose. Therefore I prepared the amendment. I did not offer it just as the patent attorney had prepared it. He had some other suggestions that I did not follow. The truth is that I prepared the amendment this morning, and I was very much rushed for time. If the Senator from Arkansas or any other Senator would like to consider that matter and try to remodel this amendment, I have no objection to its going over for the present. If the Senator would like to consider a modification of it, I am in entire sympathy with the suggestion he makes.

Mr. ROBINSON of Arkansas. I thank the Senator. It seems to me that the matter is well worthy of some consideration. I am prepared to proceed with it now. I should not like to have it go over indefinitely.

Mr. NORRIS. This amendment will be in conference anyway. There is no provision on the subject in the House bill.

Mr. ROBINSON of Arkansas. My thought is that perhaps the board itself ought to be authorized to make reasonable provision for the inventor.

Mr. NORRIS. Let me say that if the Senate bill is agreed to, and substituted, as I hope it will be, for the House bill, this amendment will be in conference, and we will have more time to consider the matter then; and I should be glad to try to add to it some provision that would authorize the board to make a reasonable allowance to any employee under these circumstances.

Mr. ROBINSON of Arkansas. Perhaps the language which the Senator has just used would be adequate for the purposes I have in mind with the addition of a proviso to this effect:

Provided, That the Board may make a reasonable allowance to any employee for his invention.

Mr. NORRIS. Suppose we add that to the bill.

Mr. ROBINSON of Arkansas. I will offer that as an amendment.

Mr. NORRIS. I accept it, Mr. President.

Mr. KING. Mr. President, I desire to make a few observations. The Senator from Nebraska has the floor at this moment, however, and I do not want to interrupt him.

Mr. ROBINSON of Arkansas. I offer that as an amendment to the Senator's amendment.

Mr. NORRIS. As far as I can accept it, I am agreeable to the amendment.

Mr. DILL. Mr. President, I desire to say just a word on this particular subject. Recently the Supreme Court passed on this matter; and unless there is a provision of some kind on the subject here or in other legislation, these Government employees have full right to their patents.

I think some such provision as is being worked out is desirable on this legislation. The truth of the matter is that the patent law should be amended, and this matter taken care of by a statute affecting all Government employees; and that is especially true in the light of the recent decision of the Supreme Court.

Mr. KING. Mr. President, if the Senator from Nebraska will indulge me for a moment, I should like to obtain his views concerning the amendment suggested by the Senator from Arkansas [Mr. ROBINSON]. I am inclined to the view that their position is not quite just or sound, and yet I shall be glad to have them further elaborate the subject.

The Government has in its employ many technical and scientific men who are employed because of their knowledge of subjects in which the Government is interested and matters in which it deals. They have been employed because of their supposed experiences and qualifications to engage in important scientific research. They were glad to accept the positions and were expected to devote their time and energies to the work for which they were engaged. They knew that in various departments of the Government important research work was and is being conducted, research work which may eventuate in new discoveries and inventions. The work of the Government in some of its departments is technical and scientific, and it is expected that those whom it employs will make new discoveries and contribute to the scientific and technical knowledge of the world. The Government furnishes laboratories and assistants and facilities for investigation and research. It is, as I understand, expected that those employed for such purposes will give their time and attention and their best endeavors to advance the interests of the Government and to add to the scientific knowledge of the day. They are not supposed to give their time to private matters or to what might be denominated extraneous matters.

It is obvious that in the many technical and scientific fields in which the Government operates, there will be improvement and the technicians and scientific men in the service of the Government will make new discoveries and evolve improvements and advancements in the fields in which they labor.

I inquire, if while so employed, it is ethical or proper for them, utilizing the resources of the Government, the facilities which it provides, the laboratories and scientific apparatus which it furnishes, to engage in private investigation in matters and questions and fields which they were employed to explore?

Mr. FESS. Will the Senator yield for a moment?

Mr. KING. In a moment I shall yield. To illustrate what I have in mind—suppose persons who are employed by the Government are working in chemical laboratories provided and maintained by the Government, with ample facilities for research work, and particular and minute investigation of particular matters and problems, would it be proper for such persons while so employed and while using the funds and facilities and laboratories of the Government for the purpose of inventing or discovering matters and things advantageous and necessary for the Government in its operations to claim compensation in addition to that which they have received because of some improvement or discovery or invention resulting from their labors?

Apply it to persons employed by private individuals or corporations. What would be the result? I have in mind a great scientist who comes from my own State. He has been

employed for a number of years with the Bell Telephone Co. in scientific and research work. He has added greatly to the scientific knowledge of the day, and has made important discoveries in respect to sound and electricity. He has been employed for particular work and to engage in particular scientific research. I inquire as to whether new discoveries and inventions resulting from his labors while so employed would entitle him to patents upon such discoveries or inventions?

Senators are familiar with the fact that the Government has maintained at great expense plants, laboratories, and stations in which are conducted scientific investigations with a view to discovering the nature and character of gases and agencies for military purposes. The Government has also at great expense conducted experiments at Langley Field for the purpose of improving aerial navigation. Scientific men have been and are engaged in this work; they have been employed specially because of their scientific knowledge and because they were specialists. They were not employed to prosecute private or individual scientific investigations, but to give of their time and of their ability to make new discoveries and improvements that would be not only of advantage to the Government, but with the consent of the Government, to the entire country. Many of these persons have been in the employ of the Government for years and have a civil-service status. They have all the advantages resulting from a continuity of service and from the retirement privileges which follow such service. I inquire again, if, while so employed to make new discoveries, and they succeed in so doing, should they be permitted to take advantage of the same and obtain patents and thus deprive the Government of the results of their labors for which the Government has paid?

Mr. FESS. Mr. President—

Mr. KING. I yield to the Senator from Ohio.

Mr. FESS. The item that was of interest to me was in the case I mentioned in the increase of the gasoline content of crude oil. This young man was directly interested in scientific research, and he went through the State University of Ohio, and made that his major study. Then he went on to Columbia University and stayed quite a while in research work; but he could not find there all the facilities that he needed in the pursuit of that particular line of work. He then made application to come to the Bureau of Mines, in order to further in practical application the thing he was working out; and while in the employ of that Bureau he made this discovery. In fact, he was looking ahead to something of this sort; and, to my surprise, he told me afterward that by virtue of his being employed as a Government worker he could get no advantage whatever from this remarkable discovery, and it struck me that it was not quite ethical.

I see the force of the statement of the Senator that generally speaking, in all probability, a man who is paid a salary, who comes here to make the Government service his life work, and who makes a discovery, might not be in as strong a position as the one I have in mind; but in the case of men in the Government service, especially the research divisions, such as the Bureau of Standards and others, who are doing special work, trying to discover what has not yet been discovered, would we not really get greater public benefit if we could recognize the principle suggested by the amendment proposed by the Senator from Arkansas?

Mr. KING. Mr. President, the question before us is not entirely free from doubt. It may be true (but as to that I have some doubts) that a person employed by the Government, because of his scientific knowledge and employed to make investigations for the Government in fields in which the Government is vitally interested, may, if he is permitted to acquire a proprietary interest in some of these discoveries, work more assiduously or exhibit greater interest in his researches. Certainly he would not if he appreciated his obligation and possessed the spirit of the true scientist. There is a question of ethics involved in the matter we are discussing. If the Government is engaged in an important research work which calls for the employment of scientists, and it employs persons for such investigation and research,

certainly they are expected to give of their time and their services and their ability to the accomplishment of the work for which they are employed. They should, it seems to me, devote themselves earnestly and seriously to the work for which they have been employed.

During the war, as Senators know, many technical and scientific men were employed in branches of the Government. They were employed to make discoveries that would be helpful to the Government in its military and naval operations. It is known that important discoveries were made in the matter of gases, explosives, and submarines, depth bombs, and many other agencies destructive and utilitarian. Would it be ethical for those so employed who were expected to aid the Government and to contribute to the winning of the war to obtain patents upon the discoveries made, or claim compensation and advantages other than those which the Government had agreed to give to them?

I have in mind a field in which the Government is interested. To carry on the work in this field, the Bureau of Mines has been established in which scientific and technical men are employed for the work of the Government. Many of them are employed to make investigations in coals and hydrocarbons. Some are employed for the purpose of discovering the causes of explosions in mines and to devise means to prevent these explosions. The Government furnishes every facility for investigations by those employed.

Millions of dollars are expended by the Government in research work. In the University of Utah, an institution in which the junior Senator from Utah [Mr. THOMAS] served with distinction for a number of years, there is a branch of the Bureau of Mines. A number of technical and scientific men have been employed there for years, and they have carried on important and valuable researches for the purpose of discovering all the elements and combinations in coal and what processes must be employed in order that all of the properties in coal might be utilized to the highest advantage and for the benefit, not only of the owners of coal properties, but of the people generally.

The Government paid for these researches, examinations, and investigations, and the scientists so employed were glad to engage in the work for which they were employed and undoubtedly utilized all of their scientific knowledge to secure the best results. I am advised that in these investigations discoveries were made that will tend to revolutionize the use of coal, or at any rate that will obtain from bituminous coals far greater wealth and benefits than have been obtained. It may be that if persons so employed by the Government should make some discovery not in the field for which they are employed, a different question would then be presented.

Mr. FESS. Mr. President, if the Senator will permit, I meet the major force of his proposition that the Government should receive the benefit of these discoveries, but I believe in the long-range views that the public would be benefited if we should give the man who made the discovery recognition of some sort.

Mr. KING. It may be that in addition to the compensation paid to the employee of the Government some bonus or gratuity should be paid him, or some honor conferred upon him, but the broad question before us, as I understand it, is whether legally and technically persons employed by the Government for scientific, technical, and research work should, while so employed and while using all the facilities of the Government to aid them in such investigations, investigations which they are employed to make in order that discoveries, improvements, and advances in science and knowledge should be obtained, should be permitted to obtain patents upon such discoveries and inventions or to receive profits and pecuniary advantages aside from what the Government contracted to pay them.

As Senators know, most of the results flowing from scientific and technical investigations made by the Government inure to the advantage of the public.

Some of the scientists in the Agricultural Department, by reason of investigations made, discover methods of eradicating diseases in plants and vegetables, and make discoveries

that are of immense advantage to the agriculturists of our country. It would seem that while so employed for the purpose of making these investigations, which are for the benefit of the Government, and for which they are paid by the Government out of the taxes collected from the people, they should not claim additional compensation as a matter of right, or be permitted to obtain patents to or for inventions and discoveries resulting from their efforts.

It is possible that some plan might be devised by which additional compensation or advantages might be made after a thorough investigation of all the facts by a board set up for that purpose by the Government; and yet, it would be difficult to draw the line and to determine just when persons who have been paid for their services should receive additional compensation.

Mr. McKELLAR. Mr. President, the amendments offered by the Senator from Arkansas contemplates the appointment of a board. That is precisely what his amendment would do.

Mr. ROBINSON of Arkansas. Mr. President, I should like to modify the amendment so that it would read as follows:

Provided further, That the Board may pay to such inventor such sum from the income from sale of licenses as it may deem proper.

As modified, the amendment would limit the power of the Board to payments out of income from the sale of licenses and would not fix any charge upon the General Treasury.

Mr. KING. Mr. President, I ask the Senator, if his amendment were accepted and should become a part of the law, would it not be an entering wedge for the payment to every employee of the Government, in every department in which that employee might be engaged, for any improvement or discovery made by him?

Mr. ROBINSON of Arkansas. Mr. President, frankly answering the Senator from Utah, it seems to me that the amendment is based on a principle of justice, that it cannot be anticipated or expected that persons who are employees of the Government, the most of them receiving small compensation, and who happen to possess that peculiar characteristic known as inventive genius, should work over-hours, as most inventors do, with the absolute assurance that, no matter how great might be their success or their triumph, no matter to what extent they might enrich the board or the Government which has employed them on meager salaries, neither they nor their dependents may ever expect to receive any benefit. It seems to me that if we do not wish to stamp out and crush the inventive genius which has been demonstrated throughout the history of our country by many of our citizens, and by some of them in a most notable way, we ought at least to hold out to them the fair prospect of obtaining some compensation as the result of the great sacrifices which they probably must make if they succeed as inventors.

It is an old, old story, one with which every Senator is familiar, that almost from the beginning of history the men who have exhausted their physical and mental resources in trying to work out some great invention for the betterment of humanity, for the improvement of living conditions, usually go to their graves in poverty and sorrow, having been deprived of all benefits by some person or combination of persons who are shrewd enough to see the value of the work done by the humble citizen, and to obtain ownership or control of his invention before he himself realizes, in his extremity, what may be the prospects of profit from it.

It seems to me that it is not quite fair for the United States Government to take into its employ on small salaries persons who possess the talent or genius for invention, and expect them to go forward, with sacrifice, and at some personal expense, and, at the same time, have it written into the law that, no matter how great their sacrifice or their efforts, those inventors cannot have any profit from their labors. We would discourage invention as we could accomplish that unwholesome result in no other way, and if we wish to stamp out and destroy the spirit of advancement in the minds and hearts of the employees of the Govern-

ment, the best way to do it is to say that, no matter how hard they work, no matter how much overtime they expend in carrying out a thought which they have conceived, they cannot derive any benefit from it.

Mr. NORRIS. Mr. President, I am very much in favor of the modification of my amendment by the adoption of the amendment suggested by the Senator from Arkansas, and I do accept it and make it a part of my amendment, so that we will not have to have 2 votes on it.

Let me say just a word about it. I have listened with a great deal of interest to what has been said here on both sides of the question. I want to call the Senate's attention to a particular case which happened while Muscle Shoals legislation has been pending before Congress. It is connected with our operation of the nitrate plant down at Muscle Shoals. It shows that what the Senator from Arkansas has said is often true—that the man who invents, and is working for the Government when he makes an invention, reaps no benefit whatever. I do not think such a man ought to own his invention; the Government ought to have it, because the man is being paid by the Government when he invents the process or whatever it may be. But no inventor ever worked on an 8-hour basis or a 4-hour basis. They work on their inventions at night. They wake up at midnight, and lie awake through the night working the thing out. That is generally the case.

Mr. President, down at nitrate plant no. 2, at Muscle Shoals, Dr. Cottrell, whose name I mentioned a while ago, one of the great scientific men of the world, invented an improvement used in the extraction of nitrogen from the atmosphere. He was in the employ of the Government when he did that. He never got a penny for it; he never even had it patented. I have talked with him about it. He got his reward in the satisfaction of doing something for humanity, and there are thousands of men who feel the same way.

Mr. President, that patent is used all over the world now where the process of getting nitrogen from the atmosphere is employed. Men came to Muscle Shoals from foreign countries to see how it was operated, and the satisfaction Dr. Cottrell got out of it was the satisfaction in his own heart that he had done some good for humanity.

Mr. KING. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. KING. I think perhaps we are a little at cross purposes. Suppose Dr. Cottrell had been employed by the Government of the United States for the purpose of trying to obtain nitrogen from the atmosphere.

Mr. NORRIS. That is just what he was employed for.

Mr. KING. Suppose the Government of the United States were engaged in that enterprise, the same as the industries had been engaged in the enterprise, and the Government was paying Dr. Cottrell as a scientist to do that work, and in the execution of his work, for which he had been employed as a scientist, he made that discovery. Does the Senator think then that the Government ought not to be the beneficiary?

Mr. NORRIS. The Government is the beneficiary. I do not want to say that Dr. Cottrell should have the patent, that it should be his individually. I believe that he ought to have something out of it, however. But the Government ought to own the patent. Both the Government and the employee should make something out of it.

It seems to me we should hold out inducements to men and women who are working for the Government that if they will bring about improvements the Government will see that they are benefited as well as that the Government is benefited from the inventions.

Mr. SMITH. Mr. President, if the Senator will allow me to read from a bulletin sent us by the United States Department of Agriculture, dated July 1, 1932, I think I can show who become the beneficiaries of improvements discovered by the geniuses whom we employ and for which we do not allow them to benefit. Let us see who gets the benefit:

The pioneer scientific and technical researches on fertilizers and fixed nitrogen, as conceived and fostered by the Department of Agriculture and carried through by industry, is an excellent example of a Government activity and service to the industry, the consuming public, and civilization in general. When the investigations were carried through to pilot-plant scale and their economic feasibility determined, industry took over the processes together with the personnel trained by the Government.

Mr. President, when employees of the Government make discoveries, the Government does not benefit. The processors, the manufacturers, are the ones who take the patent. The Government having done all the pioneering work and discovered a process, for example, by which a whole plant is given additional facilities, then industry takes it, and the public pays for it. This bulletin proceeds with that discussion, and in my own time I shall have something to say about the system under which employees of the Government, in its experimental plants, for which we pay, making discoveries; and, in place of the public being the beneficiary of such discoveries, the Government sells the processes to the great corporations who manufacture the articles, and they charge what they please for the articles so manufactured.

Mr. NORRIS. Mr. President, this amendment would prohibit that.

Mr. SMITH. Exactly, to a degree, but we ought to provide some means by which the Government would hold its hand on these discoveries of genius which revolutionize our organized society and not turn them over to corporations.

I think we ought to amend our patent laws. As the ranking member of the Committee on Patents, I have been astounded at contracts that manufacturers enter into with inventors. Not only do they buy the patent rights from the one who makes the discovery of the original basic art but they have him sign an agreement that all subsequent discoveries by him shall be the property of the corporation. The Patent Office has been the prolific source of monopolies and combinations. Anyone studying our patent laws and ascertaining what has grown out of them may readily understand how monopolies have sprung up which have throttled the progress of industry in this country. The history of the internal-combustion engine is a fine illustration of the power monopoly to acquire the discoveries of inventive geniuses. Monopoly has the power and the money with which to develop and commercialize the use of inventions. I think a good example of that is afforded by the Agricultural Department in that discoveries made by those employed by it do not benefit the Government, but benefit those who have the capital to process and commercialize the discoveries, and who, when they have purchased the patents, have a monopoly and the public fails to profit by the inventions of these employed by the Government.

The PRESIDING OFFICER. The Senator from Nebraska has accepted the modified amendment of the Senator from Arkansas and the question is on the amendment as modified. Without objection the amendment, as modified, is agreed to.

Mr. NORRIS. I send to the desk an amendment to come in on page 12, and ask that it may be stated.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 12, at the end of line 14, it is proposed to insert the following additional proviso:

And provided, that the board is hereby authorized and directed to make studies, experiments, and determinations to promote the wider and better use of electric power for agricultural and domestic use, or for small or local industries, and it may cooperate with State governments, or their subdivisions or agencies, with educational or research institutions, and with cooperatives or other organizations, in the application of electric power to the fuller and better balanced development of the resources of the region.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. NORRIS. Mr. President, on page 12, line 13, after the word "of" and just before the word "electric", I move to insert the word "such", so that it will read:

Sale and distribution of such electric power.

Mr. ROBINSON of Arkansas. What would be the effect of the amendment, if agreed to?

Mr. NORRIS. The amendment refers to a particular development of power and it makes application of it.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 12, line 13, after the word "of", it is proposed to insert the word "such", so that the line will read:

Sale and distribution of such electric power—

And so forth.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. NORRIS. On page 12, I want to transpose certain words in order to make the grammar a little better, I think, without at all changing the meaning. Beginning in line 6, the clause reads:

In order to provide for the fullest possible use of electric light and power on farms, the board in its discretion shall have power within reasonable distance of any of its transmission lines—

And so forth. I want to transpose the words "the board in its discretion shall have power" from line 8, where they now are, to line 9, immediately after the word "lines", so that it will read:

In order to provide for the fullest possible use of electric light and power on farms within reasonable distance of any of its transmission lines the board in its discretion shall have power—

And so forth.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 12, line 8, it is proposed to strike out the words "the board in its discretion shall have power" and to insert the same words after the word "lines" in line 9, so that the clause will read as follows:

In order to provide for the fullest possible use of electric light and power on farms within reasonable distance of any of its transmission lines the board in its discretion shall have power to construct—

And so forth—

The PRESIDING OFFICER. In the absence of objection, the amendment is agreed to.

Mr. NORRIS. I offer another amendment to come in on page 13, which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 13, line 2, after the word "generated", it is proposed to insert:

and to interconnect with other systems. The board is also authorized to lease to any person, persons, or corporation any transmission line owned by the Government and operated by the board, but no such lease shall be made that in any way interferes with the use of such transmission line by the board.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. NORRIS. I send to the desk another amendment to come in on page 13.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed on page 13, line 8, to strike out the letter "a" and insert "and maintain a properly designed and built."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. NORRIS. On the same page in line 11, after the word "Government", I move to insert the words "or leased by the board."

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 13, line 11, after the word "Government", it is proposed to insert the words "or leased by the board."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. I offer the amendment, which I send to the desk, to come in on page 14.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 14, after line 19, after the word "board", it is proposed to insert a colon and the following additional proviso:

And provided further, That the board is hereby authorized to enter into contracts with other power systems for the mutual exchange of unused excess power upon suitable terms, for the conservation of stored water and as emergency or break-down relief.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska. The amendment was agreed to.

Mr. NORRIS. On page 14—

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New York?

Mr. NORRIS. Does the Senator want to ask me a question about the amendment which has just been agreed to?

Mr. COPELAND. I want to ask a question about the provision with reference to gross proceeds on page 14, beginning in line 20. Did the committee give it any attention?

Mr. NORRIS. Will the Senator let me finish the amendments going down to the point to which he refers? Then I shall be glad to take that up.

Mr. COPELAND. Very well.

Mr. NORRIS. On page 14, line 12, after the word "at", I move to strike out the words "a price" and to insert the word "prices."

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 14, line 12, after the word "at", it is proposed to strike out the words "a price" and to insert the word "prices", so as to read:

Electric power at prices—

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska. The amendment was agreed to.

Mr. NORRIS. On the same page, in line 12, after the word "exceed", I move to strike out the words "an amount" and insert in lieu thereof the words "a schedule", so that it will read:

That shall not exceed a schedule.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 14, line 12, after the word "exceed", it is proposed to strike out the words "an amount" and insert the words "a schedule", so as to read:

Shall not exceed a schedule fixed—

And so forth.

The PRESIDING OFFICER. The question is upon agreeing to the amendment proposed by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. On page 14, line 13, after the word "fixed", I move to insert the words "by the board from time to time", and to strike out the words "by the board" in the same line after the word "fair."

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 14, line 13, after the word "fixed", it is proposed to insert the words "by the board from time to time"; and on the same page, in the same line, after the word "fair", to strike out the words "by the board."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska. The amendment was agreed to.

Mr. NORRIS. Now I yield to the Senator from New York.

Mr. COPELAND. I find in line 20, on page 14, provision is made for the payment of 5 percent of the gross proceeds

to the State of Alabama, and so forth. Did the committee give any thought to the idea of making that "net proceeds"?

Mr. NORRIS. Mr. President, the language is identical with the language that has been in the bill which the Senate passed several times heretofore; it was discussed, and the Senator will realize, I think, when he reads the latter part of the section that "gross proceeds" in that case are not as inclusive as he might think. Commencing on the next page, in line 17, the clause reads:

In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee the Board shall not take into consideration the proceeds of any power sold to the Government of the United States, or any Department of the Government of the United States used in the operation of any locks on the Tennessee River, or for any experimental purpose, or for the manufacture of fertilizer or any of the ingredients thereof, or for any other governmental purpose.

That considerably modifies what might at first seem an all-embracing expression in reference to gross proceeds.

Mr. COPELAND. I can see that the modification suggested by the Senator does make a great difference, but the tax proposed on gross proceeds, it seems to me, might absorb all the income of the establishment. That is the reason why I propounded the inquiry.

Mr. NORRIS. The idea, I will say to the Senator, is—some people do not agree with it, of course, but it has always been my idea—that, for instance, if Cove Creek Dam were built by a private party, it would be taxed, and the State of Tennessee would derive considerable revenue from the taxation of the property, but under this measure it would get nothing in the way of taxation. This is intended to compensate the States for the loss of taxation.

I realize what can be said to the effect that the Government should not be taxed; but, in carrying out this governmental purpose, incidentally we shall sell some power and make some money out of it; and when it comes to revenue, it does not seem to me the Government ought to be in any different position from an ordinary taxpayer.

Mr. McKELLAR. Mr. President, will the Senator from Nebraska yield to me?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. I yield.

Mr. McKELLAR. In addition, may I say to the Senator from New York and to other Senators, the proposed dam will take the larger part of one county, and probably entirely destroy that county or force it to be merged with another county, and also large portions of two other counties will be affected. In other words, the lake which will be formed by the Cove Creek Dam will take up substantially one large county in Tennessee and will remove that county from State taxation and from local taxation as well. For this reason it seems to me the provision is very reasonable.

Mr. VANDENBERG. Mr. President, will the Senator from Tennessee yield for a question?

Mr. McKELLAR. I yield.

Mr. VANDENBERG. Does the Senator find any advantages from this Tennessee Valley authority which would be adequately compensating if the State of Tennessee did not get this percentage payment annually?

Mr. McKELLAR. Of course, it will help the people of Tennessee; and, so far as the government of the State of Tennessee is concerned, it seems to me that it is a reasonable and proper compensation.

Mr. VANDENBERG. Would the Senator oppose the bill with the 5 percent eliminated?

Mr. McKELLAR. I did on a former occasion.

Mr. VANDENBERG. I realize that, and that is why I am asking the Senator now whether the new prospectus has additional compensation?

Mr. McKELLAR. There was not any compensation at all in the bill that I opposed on a previous occasion; that is, the State of Tennessee got nothing whatsoever for the loss of the taxing power over a county and got nothing for the destruction of its property and its taxing power. The Senator from Nebraska afterward very properly, as it seems

to me, inserted this provision. It seems to me, in all fairness to the State of Tennessee, it ought to be allowed.

Mr. VANDENBERG. I recall that the Senator said to me that there are navigation and flood-control advantages to the State of Tennessee out of this development. That is correct, is it not?

Mr. McKELLAR. It may be helpful if the project is completed. The building of the dam alone will not make it so.

Mr. VANDENBERG. The Senator contemplates those advantages from this project, does he not?

Mr. McKELLAR. I doubt from the standpoint of the Cove Creek Dam whether that is possible or not. I doubt if it will ever be utilized for navigation purposes.

Mr. VANDENBERG. I am speaking about flood control.

Mr. McKELLAR. Flood control will help not only Tennessee but all the States below this dam on the Tennessee and Mississippi and Ohio Rivers.

Mr. VANDENBERG. Are the benefits of the bill to Tennessee confined to the 5-percent commission on Government expenditures?

Mr. McKELLAR. So far as the State itself is concerned, that is perhaps true; but so far as the people of the State disconnected from the State government are concerned, that is not true.

Mr. VANDENBERG. If the 5 percent were eliminated, it would still be an advantage to the State of Tennessee, would it not?

Mr. McKELLAR. It would be an advantage to the people of the State of Tennessee.

Mr. KING. Mr. President, I recall when a bill known as the "Muscle Shoals bill" substantially the same as the one under consideration was before the Senate. The Senator from Tennessee violently opposed the same. He insisted that under its provisions a number of counties in Tennessee would be inundated.

Mr. McKELLAR. No; land amounting to one county. The lands in three counties, the county of Union, the county of Clairborne, and the county of Campbell, and it will inundate about as much as one average county in Tennessee, but taking a part of each of the three counties. The Senator is right. There was no provision for compensation to the State of Tennessee for the loss of its taxing power over so large a portion of its territory. The Senator from Nebraska realized it afterward and inserted this provision in order to meet the objections I then raised to the bill. The position I took then and the position that I take now are perfectly consistent. Since that time we have passed the Muscle Shoals bill three times, I believe, have we not?

Mr. NORRIS. I believe so.

Mr. KING. Mr. President, I am waiting rather impatiently for an explanation of the provisions of the bill before us and the reasons which it is alleged justify its enactment into law. The report accompanying the bill affords but little information, and the bill itself contains so many general and indeterminate provisions that it is impossible to predict just what it seeks or will accomplish. I should like to know how much land is to be inundated, the value of the same, the necessity for destroying most of one county and a part of two other counties. I desire information as to the cost of this enterprise. I want to know what the damages will be for the land which is to be taken, the cost of buildings to be erected, the plants to be constructed, and the power lines which are to traverse large sections of several States, and the ultimate cost to the Government. I should like to know the limits of the bill, the field which it is to cover, the projects which it is to construct, and the activities in which it is to engage.

A brief survey of the bill, as I have indicated, does not supply that information which it seems to me should be required when legislation is to be enacted which undoubtedly will require many millions of dollars, and project the Government into business and industrial activities which but a short time ago were regarded as beyond the province and

authority of the National Government. But we are in strange times; this is a period of unrest, indeed, of panic, and it is easy in this condition of confusion and bewilderment to make suggestions, many of which may be unsound and some of which may be dangerous, which appeal to many of the people. History discloses the fact that sound principles of economics and of government are forgotten when economic confusion and severe industrial depressions exist.

We instinctively, like men floundering in deep water, reach out to grasp any floating substance, no matter how fragile it may be. Undoubtedly there is a strong movement throughout the land to have the Federal Government engage in enterprises of almost every character. The idea seems to be prevalent that the Government is endowed with some hidden and immortal powers that will enable it to take over the functions of individuals, communities, and States and successfully carry on not only governmental activities but all the functions which belong to the field of private endeavor. Paternalism and socialism make great headway in periods of depression. It may be that the situation is such as to warrant the Government spending millions, if not several hundred millions, of dollars, in the completion of the so-called "Muscle Shoals project." It may be that the Government should build great dams and form great lakes and construct great power plants for the development of electrical energy and transmission lines to carry such energy to various communities and States and to sell and dispose of the same to individuals, corporations, States, and their political subdivisions. It may be deemed wise for the Federal Government to build great plants, to manufacture nitrogen and products by the synthetic or other processes to provide fertilizers for sale to the farmers of our country.

Of course, if the Government can engage in some of these activities, it would seem that there will be difficulty in determining just where the Government should stop in its activities in industry and in the fields which have heretofore been regarded as belonging to individuals and corporations. There should be some line of separation between the legitimate functions of the Government and the rights, duties, responsibilities, and functions of individuals. I know that there is a strong movement in the United States which, if unchecked, will eventuate in the Government owning and operating the railroads and the various agencies employed in transportation.

The Government has appropriated enormous sums for the construction of dams and power plants, and it is called upon to spend hundreds of millions of dollars more for the construction of additional dams, canals, lakes, power plants, transmission lines, and instrumentalities for the distribution of electrical energy.

Socialism has reached its apex in Russia, where the Government owns, controls, and operates everything. In some other countries socialistic movements have attained powerful proportions. Undoubtedly many people look with deep satisfaction upon the growth of socialism and the latter-day developments in our economic and industrial life which restrict, if they do not extirpate, individual activity and what some call the individualistic theory of economics and of government.

If we are to believe the newspaper reports, we may be warranted in inquiring as to just what form our Government is to assume; that is whether it is to be a government of law which recognizes the rights of individuals and of sovereign States, and which recognizes the limitations and restrictions upon the Federal Government or a government in which there are no restrictions upon the Federal Government either as to the assertion of political power or the authority to control all forms of industry. As I understand, it has been suggested in certain official quarters, that in transactions and industries labelled interstate, the Federal Government shall have power to determine the amount of production of the commodity and allocate to individuals or corporations the quantity which they shall produce. Prices are to be fixed; licenses for interstate businesses are to be obtained; and, broadly stated, the industrial activities of the country are to be supervised by Federal agencies.

However, I shall not pursue this thought further. Recurring to the bill, I perceive that it is understood that a large area of land will be inundated; that the Government will have to pay damages, that appraisers are to be provided in order to determine the damages which the Government is to pay when it seeks condemnation. Senators know from their experience that when the Government condemns land, the Treasury of the United States is called upon to make an enormous contribution. I have been informed that lands which the Government desired for game refuges and which it was expected would cost but a very small sum—a dollar or two an acre—advanced far beyond any possible dreams when payment had to be made by the Government.

I recall that when measures were under consideration for the protection of the Mississippi Valley and it was suggested that a considerable area in Louisiana would be inundated, at least periodically, that it was stated by a distinguished representative of that State that it would cost \$200,000,000 to pay for the damages to the land which was to be periodically covered with water. Unless some limitations are placed in the bill, I feel sure that the additional cost to the Government will exceed \$100,000,000. I have not yet been advised as to the reasons for the Government's entering upon this enterprise. There may be reasons adequate and sufficient, but I have understood, however, from statements made by proponents of the measure, that it is not needed for the manufacture of fertilizers, and that the cost of the dams and the machinery and plants for the manufacture of fertilizer would not be warranted. I am not advised that there is no imperative need for the construction of the plants in the Tennessee Valley for the production of electrical energy. At any rate, if additional electrical power is required, there is no necessity for the enormous appropriation which this bill will call for before the project contemplated is completed.

It cannot be urged that this enterprise is being developed for the purpose of experimentation. There is no need to experiment for the purpose of discovering how to manufacture fertilizers. We have many plants in the United States producing fertilizers. It is obvious that if this product should be produced at Muscle Shoals, the transportation rates would be prohibitive beyond a distance of a few hundred miles.

There is no need for the building of a plant at Muscle Shoals for experimental purposes in the development of electricity. Private enterprise and private capital have made enormous strides in the development and transmission of electric energy. Electric wires traverse our country, and nearly every section of the United States is supplied now with electric power. I might add in passing that it is contended by many that electricity can be produced cheaper from oil or coal than from falling water; however, I do not want to enter into that controversy. I only point to the fact that there seems to be no warrant for spending tens of millions, if not considerably more than a hundred millions of dollars additional, in order to do some experimental work at Muscle Shoals in the development and transmission of electric power. The Federal Government has not been very fortunate in many of its investments in enterprises within the field of private endeavor or in some of its projects for the benefit of agriculture or various industries.

It has expended by direct appropriation and by loans, hundreds of millions of dollars in the shipping industry with unsatisfactory results. It recently appropriated \$500,000,000 to be expended by the Farm Board, and the recent reports indicate that nearly all this stupendous sum has been lost and wasted. It has spent millions of dollars in boats and barges upon the Mississippi and other streams without justification and without satisfactory results.

Mr. COPELAND. Mr. President, I dislike to press this matter, but I really want some information. Does it not seem strange that we should take from the income of this operation not alone from the sale of power generated by the waters of the dam but also from the steam plant? It is going to cost a lot of money to operate a steam plant, whether it does to operate a water plant or not, and yet the bill as it is written provides that 5 percent of the gross

proceeds both from water plant and from steam plant shall be paid over to the State of Alabama or to the State of Tennessee as the case may be.

That seems to me to be a very unusual proceeding. I can understand how we might pay 5 percent of the net proceeds, but to spend the money to operate not alone the water plant but the steam plant and then to take 5 percent of all the gross income, regardless of the cost of maintenance and operation and overhead, and pay it to the respective States is a proposal that I can hardly understand.

Mr. NORRIS. Mr. President, on page 17, I propose the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from Nebraska proposes, on page 17, line 10, after the word "war" to insert the words "or the Secretary of the Interior", so as to read:

The Secretary of War or the Secretary of the Interior, whenever the President deems it advisable, is hereby empowered and directed to complete Dam No. 2 at Muscle Shoals, Ala.—

And so forth.

Mr. KING. Mr. President, I want to address myself for the moment to the Senator from New York [Mr. COPELAND]. He certainly must be in error in saying that the bill contemplates the operation of a steam plant. I have been told that we have in the Tennessee Valley the greatest water power in the world, so important that the Government is justified in expending tens of millions of dollars in its development. Is not the Senator from New York in error in saying that we are to operate steam in addition to the water power?

Mr. COPELAND. I am not surprised that the Senator asks the question. I invite his attention to the language on page 14, beginning in line 20:

Five percent of the gross proceeds received by the board for the sale of power generated at Dam No. 2, or from the steam plant located in that vicinity, or from any other steam plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama.

I suppose there is a certain amount of primary power which can be depended on throughout the year, but to make certain there is a uniform supply of power it has been necessary to erect a steam plant, and the States are to have 5 percent of the gross proceeds not only of the water-power plant but of the power generated in the steam plant.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will read the amendment.

The LEGISLATIVE CLERK. On page 17, line 23, after the word "War", the Senator from Nebraska proposes to insert the words "or the Secretary of the Interior", so as to read:

The Secretary of War or the Secretary of the Interior is hereby authorized, with appropriation hereafter to be made available by the Congress—

And so forth.

Mr. COPELAND. Mr. President, why is this change proposed? Perhaps the Senator from Nebraska has already explained it, but I did not hear his explanation.

Mr. NORRIS. Mr. President, I am doing this at the request of the President of the United States. In the remodeling or reorganization of the Departments it may be that part and perhaps all, as contemplated by another amendment which I am going to offer, of this project will be turned over to the Secretary of the Interior, or he may direct the Secretary of the Interior or the Secretary of War to employ engineers in private life to do such work as he may designate.

Mr. COPELAND. I understand that in the reorganization of the Departments the activity may be found in the Interior Department rather than in the War Department, and for that reason the Senator offers the amendment?

Mr. NORRIS. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment just offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. BLACK. Mr. President, while the Senator from Nebraska is on that question, may I suggest that it would seem to me that it would be wise to strike out line 24, on page 17, and the word "Congress", at the beginning of line 1, on the following page, giving the Secretary of War undoubted authority thereunder to build the Cove Creek Dam and to rely upon the authorization which appears at the end of the bill, the general authorization.

Mr. NORRIS. I think the Senator is right. It is agreeable to me to accept that amendment so far as I can.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 17, line 24, the Senator from Alabama [Mr. BLACK] proposes to strike out the words "with appropriations hereafter to be made available by the Congress", so the section would read:

The Secretary of War or the Secretary of the Interior is hereby authorized to construct, either directly or by contract to the lowest responsible bidder—

And so forth.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. NORRIS. Mr. President, I send to the clerk's desk another amendment which I offer.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from Nebraska proposes, on page 18, line 15, after the word "dam", to insert a colon and the following provisos:

Provided, however, That the President is hereby expressly authorized by the appropriate order to direct the employment by the Secretary of War, or by the Secretary of the Interior, of such engineer or engineers as he may designate, to perform such duties and obligations as he may deem proper, either in the drawing of plans and specifications for said dam, or to perform any other work in the building and construction of the same. The President may, by such order, place the control of the construction of said dam in the hands of such engineer or engineers taken from private life as he may desire: *And provided further,* That the President is hereby expressly authorized, without regard to the restriction or limitation of any other statute, to select attorneys and assistants for the purpose of making any investigation he may deem proper to ascertain whether in the control and management of Dam No. 2, or any other dam or property owned by the Government in the Tennessee River Basin, or in the authorization of any improvement therein, there has been any undue or unfair advantage given to private persons, partnerships, or corporations by any officials or employees of the Government or whether in any such matters the Government has been injured or unjustly deprived of any of its rights.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. On the same page—page 18—in line 17, after the word "War", I move to insert the words "or the Secretary of the Interior."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, line 17, after the word "War", it is proposed to insert "or the Secretary of the Interior", so as to read:

In order to enable and empower the Secretary of War or the Secretary of the Interior—

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. I send to the desk an amendment to be inserted on page 20.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is also proposed, on page 20, at the end of line 11, to insert:

Provided, That the benefits of this section shall not apply to any art, machine, manufacture, or composition of matter discovered

or invented by such employee during the time of his employment or service with the corporation or with the Government of the United States.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. On page 20, line 9, after the word "compensation", I move to insert "for such infringement", so that it will read:

for the recovery of reasonable compensation for such infringement.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, line 9, after the word "compensation", it is proposed to insert "for such infringement."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. I send to the desk another amendment, to be inserted on page 20, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 22, at the end of line 16, it is proposed to add the following words:

or subdivisions or agencies of such States, or with cooperative or other organizations, and to make such studies, experiments, or demonstrations as may be necessary and suitable to that end.

Mr. KING. Mr. President, without desiring to be at all critical, I should like to ask the able Senator from Nebraska if all of these amendments which he is suggesting were considered by the committee.

Mr. NORRIS. No.

Mr. KING. And if not, why not?

Mr. NORRIS. Most of the amendments that I am offering now came after the committee had acted on the bill and reported it. I explained at the beginning that I would have been glad to have the committee consider them if it had not been that the chairman of the committee had charge of the farm bill, which was then pending, all the members of the committee were interested in it, and I thought it would be practically an impossibility for the committee to be called together to consider these amendments.

Some of these amendments, including the one which we have here now, were suggested—not always in the form in which they are offered, because he sometimes suggested the idea, but it seemed so plausible that it seemed to me the amendments were justified—by Mr. Morgan, who is connected with Antioch College as the head of the engineering department. He is the engineer who had charge of building the flood-control dams in and about Dayton, Ohio; and everybody knows what a wonderful engineering work that was. This amendment, which he suggested, appeals to me, and I think it would to anyone who would read the text, as being necessary. The language says, winding up—

All for the general purpose of fostering an orderly and proper physical, economic, and social development of said areas; and the President is further authorized in making said surveys and plans to cooperate with States affected thereby, or—

This is the amendment—

subdivisions or agencies of such States, or with cooperative or other organizations, and to make such studies, experiments, or demonstrations as may be necessary and suitable to that end.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Ohio?

Mr. NORRIS. I yield to the Senator.

Mr. FESS. To be textually correct, we should have to strike out the period.

Mr. NORRIS. Yes; that is true. The Senator from Ohio suggests that the period after the word "thereby" be stricken out. I have it stricken out here; but it is not, in the amendment. I suppose the clerk probably would do that, anyway; but to be sure about it I should like to have the period stricken out and a comma inserted in place of it.

I thank the Senator for the suggestion.

Mr. FESS. Mr. President, for the sake of the RECORD I desire to state that Dr. Morgan is the president of Antioch College, not the head of the engineering department.

Mr. NORRIS. I am very glad to be corrected.

Mr. FESS. He is the president of the college.

Mr. NORRIS. He has a national, if not an international, reputation.

Mr. FESS. That is correct.

Mr. NORRIS. People of all classes and of all political beliefs who know anything about him and his work always speak of him in the very highest of praise.

Mr. FESS. That is correct.

Mr. NORRIS. He analyzed this bill and suggested this amendment and one or two others that I am going to offer.

Mr. FESS. I should think, without a doubt, that if this or any other public-works project is launched, he will be called upon to do some directing in connection with it.

Mr. NORRIS. I should think so.

Mr. FESS. Without a doubt.

Mr. KING. Mr. President, this provision is so indefinite that it is difficult to determine its limitation; it is like other provisions in the bill. We do not know the point to which it will lead or the ground which it will cover. When we talk about constructing a dam and taking into account the social development of the community and States and cities and counties, and when we attempt to appraise all factors incidental to the building of communities and community life, and authorize experimentation without limitations, we are lost in uncertainty. We do not know whether the experimentation is purely physical or whether it embraces every form of social activities and enterprises. But the legislation, if I properly interpret it, is a sort of cauldron into which we are pouring everything, all sorts of chemicals—and the word "chemical" here is quite proper—and all sorts of things may come out of the retort. We do not know the kind of explosions that may result, the kind of a solid or the kind of a fluid that will be evolved, whether it is to be sociological or community experimentation as the chief motive or whether the purpose is largely the production of electricity and fertilizers. The bill gives carte blanche authority to engage in every form of activity and experimentation.

Mr. McKELLAR. Mr. President—

Mr. KING. I yield to the Senator from Tennessee.

Mr. McKELLAR. Is the Senator speaking from experience in connection with his dam out West, commonly known as Boulder Dam, for which I think he voted?

Mr. KING. The Senator knows that it is not in my State. The Senator and I opposed that dam for years, but there was justification, from the point of view of some, for the construction of the Boulder Dam; but there is not the broad field in the Boulder Dam project, unsatisfactory as it is in many respects, that is provided in this bill. There is no horizon here, no limitation. As I said, this bill is for experimental purposes in the cultural, sociological, social, scientific, electric, and fertilizer fields. We are to experiment in electricity, when we have in the United States today the ablest men in the world engaged in electrical activities. They are not asking a contribution from the Treasury of the United States. There are persons engaged in the production of fertilizers, and they have spent money prodigally in developing these products important to agriculture.

Mr. COPELAND. Mr. President, I should like to say another word about the 5-percent contribution of the States.

There is pending before the Senate the St. Lawrence Treaty, a treaty with Great Britain and Canada covering the development of the power and navigation on the St. Lawrence River. We are having a dispute in the Senate over the reference of a joint resolution presented here, seeking to confirm a tentative arrangement made with the State of New York and providing for a contribution from the State of New York of \$90,000,000. That is, we are to have this power provided we pay \$90,000,000 for it; but here, in this bill, the United States makes all the investment, builds the dam, installs the steam plant, and then the States involved get 5 percent of the gross revenue.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. BLACK. I understand the Senator's reference to the St. Lawrence, and I do not care to debate that question now; it has been debated a number of times. I may state that I offered this amendment the first year I was in the Senate, and I think the Senator has been kind enough and generous enough to vote for it several times, and I think the Senator was right.

Mr. COPELAND. I voted for it several times, but I am not convinced that I was fully informed as to the exact effect of it then. There has been in my State so much discussion of water power since that time that perhaps my eyes have been opened somewhat.

Mr. BLACK. With reference to the question about which the Senator has just been talking, I think the State of New York would own the power plant, and naturally it would not get a percentage from its own property. That is the difference.

Mr. COPELAND. Mr. President, I have no disposition to follow the discussion at this moment. I simply wanted to call attention to what, to my mind, was a very odd procedure.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. Mr. President, that amendment was on page 22, was it not?

The PRESIDING OFFICER. On page 22, line 16.

Mr. NORRIS. There was a committee amendment on line 18. Has that been agreed to?

The PRESIDING OFFICER. That amendment has been agreed to.

Mr. NORRIS. Then I send to the desk an amendment to be inserted on page 23.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 23, line 17, after the word "corporation", the Senator from Nebraska proposes to insert the following:

likewise for 1 year after the enactment of this act the President is authorized to sell parcels or parts of any vacant real estate now owned by the Government, or hereafter acquired, in said Tennessee River Basin, to persons or corporations desiring to purchase the same for the purpose of erecting thereon factories or manufacturing establishments, and who desire to purchase of said Corporation electric power for the operation of any such factory or manufacturing establishment. No contract shall be made by the President for the sale of any of such real estate if the same is valuable, or may become necessary or valuable, for use on the part of the Government for any of the purposes of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. NORRIS. Mr. President, I send to the desk another amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 23, after line 19, the Senator from Nebraska proposes to add the following:

Provided, That no such contract shall be made that will in any way abridge or take away the preference right given in this act to States, counties, municipalities, or farm organizations.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. NORRIS. Mr. President, that is all the amendments I have to offer for the present, at least.

I am now going to answer the question propounded by the Senator from Maryland and also the question propounded by the Senator from Utah as to the difference between the two bills. I have preferred to wait until the amendments had been passed on, because in some respects the amendments in the fertilizer and power provisions have modified the text of the bill as it was before it was amended.

I think it is fair to say, to be as brief about it as possible, that the two bills differ on the question of fertilizer and on the question of power. I should like to have the attention

of the Senator from Utah, because I am satisfied that I will get his vote for the Senate committee bill, as between the two bills.

The bill which passed the House provides that the corporation shall go into the manufacture of fertilizer on a commercial scale, and sell it. There is no such provision in the Senate committee bill. I want to say to the Senate, and particularly to the Senator from Utah and to the Senator from Maryland, that I have never favored the Government going into the fertilizer business as a commercial operation. In the first place, it is unjust to the taxpayers of the balance of the country. I do not believe it is right to take Government money out of the Federal Treasury, set up a fertilizer plant, and go into the commercial business of manufacturing and selling fertilizer. If that were right, and we did that, then we ought to do it in every community in the United States. The taxpayers of Illinois, of California, of Nebraska, have their money in the governmental Treasury, as well as do those of Alabama and Tennessee, and it seems to me there is no justice in taking their money and going into the fertilizer business in Alabama.

There is reason, however, it seems to me, for using public money for the purpose of cheapening fertilizer. I think that the expenditure of money in an effort to reduce the cost of fertilizer is conceded to be the proper use of governmental funds. If I were sure it could be done by this bill, I would think that was the greatest possible accomplishment of the legislation, much greater than anything else in the bill, because the students of the subject will agree with me when I say that the importance of cheap fertilizer to agriculture is increasing every day. It is going to increase, as far as we can see, and as far as scientific men can see, every day from now on. It is going to be much more important 50 years from now than it is now, unless something new and entirely different is discovered or invented. It is important, therefore, and I think one of the highest uses to which we can put public funds is the attempt to cheapen the production of fertilizer.

Mr. President, as to the bill as it now stands before us, and as it has stood for 10 or 12 years, I have continually invited criticism and suggestions tending to show any practical way in which the wording of the bill could be improved in order to insure a better method of experimenting in the effort to reduce the cost of fertilizer. I welcome any such suggestion now.

There are two other reasons why we should not put the Government into the business of manufacturing fertilizer at Muscle Shoals. To begin with—while other people may disagree with me, and one or two Senators may disagree with me, although I do not mean to criticize them in any way—I say that the almost unanimous testimony and evidence of experts, of chemists, and of engineers who have studied the subject has been in agreement with the propositions I am about to lay down.

Mr. President, at Muscle Shoals we get nitrogen out of the atmosphere by what is known as "the cyanamide process." That is at nitrate plant no. 2, built by the Government as a war proposition. In my opinion, as I have said before, and I think I am borne out by the almost unanimous evidence of scientific men all over the world, the cyanamide process for getting nitrogen out of the air is out of date. Cyanamide is a useful chemical, but when we come to get nitrogen out of the atmosphere by that process the cost is practically double when we compare it with the investment necessary if the operation were performed by what is known as "the synthetic process", first called "the Haber process."

When the war came on, nitrogen became a very important thing. The whole earth is surrounded by nitrogen, in the atmosphere. It was known then that nitrogen could be extracted from the atmosphere by the cyanamide process. First, before that process was invented, there was the arc process, the first method by which nitrogen was extracted from the atmosphere, which required a great deal of power. In fact, it is not practical, where power is worth anything, to use the power for that purpose, because we can get the

nitrogen so much cheaper, and expensive power would make production absolutely prohibitive.

Later on came the cyanamide process, which was a very great improvement; and when the war broke out, the cyanamide process was well understood by the scientific men and the chemists of the world. It required much less power than the arc process but still required a great deal of power.

Mr. President, that was the knowledge of the art when the Great War came on. The Haber process, later called "the synthetic process", was unknown to men anywhere in the world; and when it became apparent that we were about to get into the war, we passed a law which provided for the building of this great dam down at Muscle Shoals. We knew then that in order to get nitrogen from the atmosphere a great deal of power would be required, and we knew that if we got into the war there might be a possibility that our supply of nitrogen, which had before that come from Chile, might be cut off. We passed an act providing for the improvement which has since been made at Muscle Shoals and other improvements, which were abandoned when the World War ended.

We contracted for the construction of nitrate plant no. 2, which we still own. At the time it was built it was as modern as any plant of that kind in the world. We were not proceeding in the dark. Our scientific men knew just what could be done, and the contract provided for the building of that plant, which was to be constructed to produce in one year 40,000 tons of nitrogen, which amount can be manufactured by that plant now. That requires a large amount of limestone, so that we had a quarry down there, and a railroad connecting with the quarry, which the Government owned. We built the plant. It has never been operated, except long enough to demonstrate that it would work and comply with the specifications which, in the main, were to produce 40,000 tons of nitrogen in a year. That was all done in good faith. It was located there because of the power facilities.

Mr. President, it became evident, during the war, that Germany, shut off from the importation of Chilean nitrates, must have some way of getting nitrogen. She would have been defeated long before she was had it not been for her scientific men and her chemists. They devised a new method of getting nitrogen from the atmosphere, known as the "Haber process." We knew they were doing that; the whole world knew they were doing it, but we did not know how it was done. Our scientific men thought that perhaps they knew; perhaps they could do it. So when we built nitrate plant no. 2 we also built nitrate plant no. 1, which was a very much smaller plant, because our scientific men were not sure of the result. If they had been, nitrate plant no. 1 would have been bigger than nitrate plant no. 2. In fact, if we had known then what was known in Germany, and what we learned after the war, we never would have constructed nitrate plant no. 2. So we built nitrate plant no. 1, a small plant comparatively, on the theory that we might be able to extract nitrogen from the air as the Germans were doing, but we failed; we failed 100 percent. We have never produced a pound of nitrogen from the air by nitrate plant no. 1. We were completely wrong; we did not know the process.

I do not charge anybody with bad faith; it was an experiment. It failed utterly and completely. Nitrate plant no. 1 has never yet taken and never will take an ounce of nitrogen from the atmosphere. It is in a fine building, which is in good shape today, but its machinery is worth nothing except for junk. I hate to say that; I had rather say that it is a success; I had rather say that it could produce nitrogen cheaply; but I want to state the truth.

I would like to say that nitrate plant no. 2 can produce nitrogen cheaper than can any other plant in the world, but I cannot make that statement and be truthful. I reached not the conclusion which I wished to reach, but which seems to me to be absolutely inevitable if I were going to be fair with my own conscience.

During all the 12 years we have been considering the subject I have listened to propaganda that has gone out over

the country, fathered in the main by that great farm organization, the American Farm Bureau Federation, which has been sending out circulars stating that all we had to do to get cheap fertilizer was to put nitrate plant no. 1 into operation. Beautiful illustrated circulars were sent into my State and other States, circulars with maps and pictures of Muscle Shoals, and of the dam, and incidentally almost always of Chester Gray, the representative of the Farm Bureau Federation. The material was prepared ready to be run off the printing press without cost to the editors of country newspapers and of city newspapers and farm magazines, and delivered absolutely free. I have always wondered who furnished the money for it. The only beneficiary of all that fight that I could see was the Power Trust, which itself wanted this power if it could get it; and if it could not get it, it would like to have the Government operate nitrate plant no. 2, make fertilizer, and sell it always at a loss unless it would enter into a combination with the private manufacturers of fertilizer and increase the price by a trust agreement.

Now I come to the proposition of using plant no. 2. If we had war tomorrow we would probably operate it, because it can produce 40,000 tons of nitrogen a year. All the machinery is there, as well as Waco Quarry, a railroad, and everything else which is necessary, and that plant could be started up in 24 hours.

Mr. KING. Mr. President, would it interrupt the Senator from Nebraska if I should ask him a question for information?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield.

Mr. KING. I wonder why, with the machinery to which the Senator has referred, which was constructed with the idea of being operated under the Haber process, fertilizer could not be produced very cheaply there?

The Senator will recall that the late Senator Ladd, a chemist and a very able Senator, and I visited Germany a few years ago and inspected the great plants where they were manufacturing nitrogen from the atmosphere. They had a very poor quality of coal, not so good as the lignite coal in the Dakotas, and yet they were manufacturing enormous quantities of nitrogen from the atmosphere, using it for fertilizer, the basis of which is nitrogen, and shipping it to South America and to China and to various parts of Europe.

Mr. NORRIS. But they were not doing it under the cyanamide process. They were using the synthetic process, which is the most modern process of all.

Mr. KING. If we had a plant at Muscle Shoals which could employ the Haber process—

Mr. NORRIS. But we have not. We might just as well face the truth.

Mr. KING. Is all the machinery there adapted to the cyanamide process?

Mr. NORRIS. That in the cyanamide plant, of course, is; but the machinery in plant no. 1, which it was thought might work under the Haber process, cannot be used. I am told that is so. I have been there; I have gone through it, and I have asked the chemists if we could not save some of it; and I was told that nothing is just right—that the only thing we can possibly use is the building and the steam plant connected with it.

Mr. KING. Mr. President, was it erected for the purpose of using the Haber process or the cyanamid process?

Mr. NORRIS. It was erected for the purpose of using the Haber process.

Mr. KING. Then those who erected it and put in the machinery failed to understand the Haber process?

Mr. NORRIS. They failed, but I am not criticising them. That was during the war and they were doing the best they could. They did not have sufficient knowledge of the process and that is the reason they erected only a small plant, because they were uncertain. They knew the Germans had a better process than we had, but they did not

know what it was. They did the best they could. I have never criticised anybody connected with it.

Now, let me go on. The Senator's question diverts me just a little. As to Muscle Shoals not being a practical place at which to make fertilizer on a commercial basis: First, I think I have shown that the men who located it, the men who built it, and the Congress that passed the law, were all acting in the best of faith. They did not know of the improvements that were going to be made. First, as I said before, we had the arc process, which used almost unlimited power in order to get nitrogen from the atmosphere. Then came the cyanamid process, using much less power but still great quantities of power, and we built nitrate plant no. 2. Then, after the war, when we were able to visit Germany and to find out what she had done, we learned how to build under the Haber or synthetic process, and we have built under it ever since. We did not have at the beginning of the war a single place where nitrogen was produced by any process—arc, synthetic, or cyanamid. Now we have eight such plants in operation. We have, it is true, the cyanamid process at Muscle Shoals, the only one in the United States. We have never built one since.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. TYDINGS. When the Senator refers to nitrogen does he mean a gas or a liquid or a solid?

Mr. NORRIS. I mean all of them; nitrogen in all those forms. If I wanted to take the time I could show that it is in gas form and in liquid form and in solid form. For instance, the great Du Pont Co., in Delaware, the largest manufacturers of explosives, perhaps, in the world, have their plant located in Delaware, but they wanted a lot of nitrogen, and what did they do? They went to West Virginia, 5 or 6 miles outside of Charleston, right in the midst of one of the greatest coal fields in the world, where good coking coal was obtainable right from the mines. They built their nitrogen factory there. They had to ship that nitrogen from Charleston, W. Va., to Delaware, although there is just as much nitrogen in the air in Delaware as there is in West Virginia, but they need coke for power.

Under the new process, the synthetic process, the question of power has become practically insignificant; the only use of power is to operate the machinery, and the great expense is coke; that is expensive raw material which they must have. So if one were to locate a factory now and wanted to build it in accordance with business principles he would go where there was cheap coke, as the Du Pont Co. did, even though that company had to ship nitrogen in tank cars from Charleston, W. Va., to Delaware. That nitrogen is shipped in liquid form.

I am only trying to show that, as a matter of business, if the Senator from Maryland and I embarked on such an enterprise for the purpose of making money, if we had no other object in view, and it was necessary to get nitrogen from the atmosphere, we would not think of building a plant such as the Government built at Muscle Shoals at plant no. 2.

I went down to Charleston to look over the Du Pont plant. While I am neither a chemist nor an engineer, I wanted to get what information I could there from an actual view of the situation. First I ought to say that I tried to go up to Syracuse, N. Y., where there was built the first nitrogen plant under the Haber or synthetic process after it became known here what that process actually was. I wrote to those in charge at Syracuse and told them I wanted to come and look the plant over. They held up their hands in holy horror and said no; they would not let me inside any of their buildings. I do not know whether they were afraid that I was a student of chemistry or an engineer and might steal some of their ideas, or whether they had read about me in some of the newspapers of Alabama about the time we were having the Ford fight and thought I would be dangerous; anyway, they would not let me in.

I wrote to the Du Pont people and told them that I should like to go to Charleston and go through their plant. They

did not wait to answer by letter; they called me on the long-distance telephone and said, "Fix the date; we will send our head chemist from here down there; we will show you everything we have." I called on the Secretary of War and asked him to detail to go with me a man who had some scientific knowledge and who knew more than I did, so that if there was anything that might be secretive or wrong he would be able to know it. I told the Du Pont Co. that I wanted to bring a man with me and they replied, "Bring anybody you desire; we have no secret; we have nothing to conceal." So I went down there with the one who was detailed to go with me. We spent our time going over the plant, all through it, and in order to help us the Du Pont Co. sent a German chemist from Delaware to show us through.

I remember we came back together, and on the way back I said to the German chemist—who is the head, or then was, of the Du Pont investigating bureau, and knows as much about the extraction of nitrogen from the atmosphere, I presume, as any man on earth—"Suppose we should offer you nitrate plant no. 2, give it to you free of charge, what would you say about it?" His answer was, "We would decline it." He said, "I am not saying anything about fertilizers; that is not my world; we are getting nitrogen from the atmosphere; that is one of the necessary ingredients of fertilizer. If we had no plant in West Virginia and we had to have a plant, as we did have to have when we built the one near Charleston, and you said we could have nitrate plant no. 2 for nothing, we would have gone to Charleston and built our plant just the same, because we know that nitrogen cannot be extracted from the atmosphere by the process in use at nitrate plant no. 2. It would not pay us to operate it even if we got it for nothing, and we would prefer to pay seven or eight or ten million dollars to build a new plant." I think it cost them somewhere in that neighborhood to build their plant at Charleston, W. Va.

That being true, it appears to be impossible, on a commercial scale, to manufacture fertilizer at Muscle Shoals; and why not tell the truth as one sees it? There are those who do not agree with me; probably some who are listening to me now do not agree with me; but, as I see it, it cannot be done. I have been preaching that for 12 years to the farmers of America; but, counteracting everything I could say and do, came this great propaganda, backed up by the power interests and by the American Farm Bureau Federation, which spread it all over the United States, that that was the finest way on earth to get nitrogen from the atmosphere, and that I was not a real friend of the farmer. I have had that to contend with at home all these years. I think that any unbiased, unprejudiced scientific man who has studied the question of getting nitrogen from the atmosphere will agree with me 100 percent.

I have not formed these ideas because I wanted to do so. God knows I should rather have come to another conclusion. God knows that I should rather have discovered that this is the finest thing in the world, the finest place in the world to make fertilizer. I met the facts with a great deal of reluctance. I knew what would happen; I knew of the terrible propaganda that anybody who believed as I did would be up against if he undertook to say so openly.

Now, although those who believed as I did were in the very small minority with the farmers of America, I think the truth has percolated through and that most of the farmers of America know now that some of their so-called "leaders" have been misleading and deceiving them—some probably in good faith. Many men in good faith have advocated it. That being true, I have always fought against putting anything in the bill that would compel the Board to go into the fertilizer business; first, because it is not fair to take the money of all the people to manufacture fertilizer for the farmers who live within a radius of perhaps 450 or 500 miles of Muscle Shoals.

But that does not have anything to do with my desire to do all we can down there for the purpose of cheapening fertilizer. I know someone can say if we have a cheap plant under a modern method and cannot make it cheaply there, why do we want to experiment there? Why not go somewhere else? If it was a new question, if the Government

had not put in \$150,000,000 down there, that is what I would advocate. It will cost a little bit more to manufacture fertilizer there than elsewhere in the quantities in which we will make it for experimental purposes, but we can demonstrate the difference mathematically to a cent, so that when the fertilizer experiment is carried on at Muscle Shoals we can show that it is a benefit to the farmers of America and the cost can be shown to the fraction of a penny even though it costs more there than it costs somewhere else.

That is the chief difference between the two bills on the fertilizer proposition. Another difference is on the power question. I believe the only fair thing to do is to give to the Board the same power that an individual would have, that a private person would have, not to surround them by red tape and a whole lot of difficulties and impossibilities that would not confront a private party. We are justified in doing that, I believe. Of course, I would not agree with some Senators here about it, but I believe that electricity made from our streams ought to be developed by some governmental corporation, whether it is a municipality or a State or the Nation.

But I am not basing the bill on that proposition. We have invested there \$150,000,000. We are interested in controlling the flood waters of the Mississippi River, and the first step in the most scientific development of that proposal that has ever been undertaken in the Government of the United States is contained in the Senate bill. It is in the House bill, too, although the method of building the dam is not quite the same.

It would be a sin if the Government permitted any private party to go to Cove Creek and build the Cove Creek dam. That is the mouth of a natural reservoir that will hold, when the dam is completed, 3,500,000 acre-feet of water. It will develop a large amount of power, but to get the most possible out of it as a fair proposition we would have to keep the reservoir filled, and it then would lose its value entirely as a flood-control or navigation project. A private party would want to make all the money he could, and that is all right; there is no objection to that. The Government is the only one in a matter of that kind that can afford to use it for the purpose for which it ought to be used, and that is flood control. The power is only an incident. When we are letting the water out we are using the power to make electricity, but as we lower the depth of the water in the reservoir the power decreases. If we take all the water out we have no power at all. A great deal of this power would be secondary power and not primary power. No one knows how near they will come to emptying the reservoir in a year. In a few years we will know more definitely about that. They will lower it further in order to be ready for the excess flood that comes, so that the Tennessee River will be lower than it is now in high water, and higher than it is now in low water, and every gallon of that water that is kept back will be so much less water to do damage in Louisiana and Mississippi and all the way down from the mouth of the Ohio River to the mouth of the Mississippi River.

The bill on which we have just completed the amendments gives to this Government corporation the right to build transmission lines either from appropriations made by the Congress or from money received from the sale of power or from the bond issue that is provided for in the bill. I think that the building of the transmission line is just as important as the building of the dam itself. It was over the right that the Senate bill gave to this board to build transmission lines in the last session of Congress that the conferees failed to agree for over 3 months. The House bill provided that the board could not build transmission lines. The present bill is better than the old bill in that respect, in that it does provide that they can build transmission lines. But the House bill circumscribes the power with technicalities that will seriously interfere with the Board's being able to build any transmission lines. The Senate bill provides that the board can lease lines already built.

The amendment adopted today provides that if the Government builds lines, if it does not interfere with the opera-

tion of the board the board can lease them to a private corporation to carry their lines. In other words, we have set up here a power just such as a private individual or private corporation would have. For instance, I think every man who has ever studied the question will agree with me that when we build Cove Creek Dam we must connect it with Dam No. 2 by a transmission line. It is perfectly foolish, perfectly idiotic, Mr. President, for a private corporation to own a generating system at point A and a generating system at point B and not connect them by transmission lines. Modern electrical development and distribution and use depend to a very large extent for their success on interconnecting lines. When there is something wrong with the generating plant at point A, they can bring the power from point B. When there is something wrong at point B, they can bring the power from the generating plant at point A.

In addition to that we will consume a vast amount of power in building Cove Creek Dam. When we built Dam No. 2 the first thing we did was to build a transmission line from Gorgas, about 90 miles distant, from a coal mine owned by the Alabama Power Co., in order to bring power up to Dam No. 2 so we could use it there. The first thing we will need at Cove Creek after the land is cleared away will be power, power, and more power. We have it going to waste at Dam No. 2, but we cannot carry it in a bushel basket to Cove Creek Dam. We must have a transmission line. In my judgment the board, if they are at all scientific, will build a transmission line from Dam No. 2 to Cove Creek the very first thing they do. They will save hundreds of thousands of dollars; yes, millions of dollars; otherwise they will have to buy the power. If they bring it from Dam No. 2, it will not cost anything save for the construction of the transmission line, which will be a permanent improvement and last longer than any of us will live.

Under the terms of the House bill, in my judgment, if we pass it in the form in which they have passed it, the board would be confronted, before they started on the construction of a transmission line, with injunction after injunction. They would have to wend their weary way through to the Supreme Court of the United States before they could even start construction. In the meantime they would have to pay to the Power Trust the Power Trust's own price for power to be used at Cove Creek Dam. It is foolish, it seems to me, for a corporation like this, representing the Government of the United States, to go to a stream that is tumbling down from the mountainside—a stream that is owned by the people—and build a dam to make what we call electricity for the use of the people who own that stream, but before the people can use that which we have produced from their own property it must pass through the hands of a private party, known as a private corporation, with a transmission line. It is just as important to build the transmission line as it is to build the generating plant.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BLACK. As I understand, the difference with reference to power is very simple. In the first place, the Senator's bill provides, as I understand, that the Board is given the discretion—it does not have to do it—to build transmission lines if it wants to do it, and if it believes that it is right that they should be built in order to sell the power.

Mr. NORRIS. Yes, sir.

Mr. BLACK. And under the other bill they must first make an effort to lease private lines.

Mr. NORRIS. And they must make a finding that it is economically feasible, and then they must get the consent of the President. I desire to suggest to the Senator that it depends on the President. In the last 4 years, if that had been the law, we know that there would not have been a mile of transmission line built, because it would have been impossible to get his consent.

Mr. BLACK. In other words, the Senator's bill provides that this corporation shall have the right, or any corporation, if it is deemed advisable, to build lines.

Mr. NORRIS. Or any other corporation.

Mr. BLACK. The other bill, the House bill, imposes a number of restrictions, including the necessity, first, to try to lease power-company lines, to try to make a contract with them, to secure the approval of the President, and several other preliminary things that they must do before they would have a right to build a line.

Mr. NORRIS. The Senator is right.

Mr. BLACK. And that really is the difference in the power feature.

Mr. NORRIS. That is right.

If there are no other questions, Mr. President, I am ready for a vote.

Mr. VANDENBERG. Mr. President, will the Senator permit me to ask him if the 5 percent clause is the same in the House bill as it is in the Senate bill?

Mr. NORRIS. No; there is not any such clause in the House bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

Mr. VANDENBERG. Mr. President, I desire to offer an amendment to strike out the 5-percent clause, if this is the appropriate time to do it.

Mr. McNARY. Mr. President, earlier in the day I talked to the distinguished Senator from Nebraska, and stated at that time that I did not want a final vote on the bill today. There are 2 or 3 Members of the Senate who desire briefly to discuss the matter; and I should like to have it go over until tomorrow for a final vote.

Mr. NORRIS. Of course I should have been very much delighted if we could have voted on the bill today, but I realize that the bill is open to amendment, and I am not going to interfere with any reasonable request, even if I could.

Mr. McNARY. I was certain that the Senator would not. The bill is an important one and of course has been before the Senate a number of times. It is well understood. However, in this bill there is some enlargement upon the project over former bills.

Mr. NORRIS. Yes.

Mr. McNARY. The Senator from Rhode Island is necessarily absent today. He and the Senator from Ohio both want to discuss the bill briefly. I told them I would request that it might go over, because I knew the request would meet the favor of the Senator from Nebraska.

If the Senator from Michigan desires to present his amendment at this time, I suggest that he do so.

Mr. VANDENBERG. I should very much prefer to have the matter go over until tomorrow. I shall not occupy 10 minutes.

Mr. NORRIS. Mr. President, I recognize that the Senate has been patient.

Mr. VANDENBERG. I had no idea that we would reach this point today.

Mr. NORRIS. While I should be very glad to get through with the bill, I recognize the reasonableness of the request. If the Senate would like to take a recess at this time, I suggest that that be done. I hope, however, it will be a recess and not an adjournment.

Mr. KING. Let me say that the Senator from New York [Mr. COPELAND] is necessarily absent from the Chamber, and I think he has an amendment to offer. On his behalf, I request that the bill go over until tomorrow.

Mr. VANDENBERG. Mr. President, let my amendment be pending. I move to strike out all of section 13, commencing on page 14.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be pending.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair) laid before the Senate several messages from the President of the United States, submitting nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

DEATH OF REPRESENTATIVE BRIGGS

A message from the House of Representatives by Mr. Megill, one of its clerks, communicated to the Senate the intelligence of the death of Hon. CLAY STONE BRIGGS, late a Representative from the State of Texas, and transmitted the resolutions of the House thereon.

The PRESIDING OFFICER. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The resolutions (H.Res. 123) were read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. CLAY STONE BRIGGS, a Representative from the State of Texas.

Resolved, That a committee of two Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

Mr. McKELLAR. Mr. President, the two Senators from Texas are necessarily absent in attendance upon the funeral of the late Representative BRIGGS. On behalf of the senior Senator from that State [Mr. SHEPPARD], I send to the desk a resolution and ask for its adoption.

The resolution (S.Res. 66) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CLAY STONE BRIGGS, late a Representative from the State of Texas.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDING OFFICER appointed Mr. SHEPPARD and Mr. CONNALLY as the members upon the part of the Senate of the joint committee provided for under the second resolution.

RECESS

Mr. McKELLAR. Mr. President, as a further mark of respect to the memory of the late Representative BRIGGS, I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The PRESIDING OFFICER. The question is on the motion of the Senator from Tennessee.

The motion was unanimously agreed to; and (at 4 o'clock and 33 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, May 2, 1933, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 1, 1933

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

Hugh S. Gibson, of California, now Ambassador Extraordinary and Plenipotentiary to Belgium and Envoy Extraordinary and Minister Plenipotentiary to Luxembourg, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

COMPTROLLER OF THE CURRENCY

J. F. T. O'Connor, of Los Angeles, Calif., to be Comptroller of the Currency, to fill an existing vacancy.

COMMISSIONER OF INTERNAL REVENUE

Guy T. Helvering, of Kansas, to be Commissioner of Internal Revenue, in place of David Burnet, resigned.

CIVIL SERVICE COMMISSIONERS

The following-named persons to be Civil Service Commissioners:

Harry B. Mitchell, of Montana, vice Thomas M. Campbell, resigned.

Lucille F. McMillin, of Tennessee, vice Jessie Dell, resigned.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 1, 1933

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D.D., offered the following prayer:

Our Lord and Master, we rejoice at Thy loving fatherhood. When we waver, when we drift, when we stumble, when we are tempted, in all the emergencies of life we have an unfailing source of consolation—our ever blessed Father in Heaven. With this common thought of Thee and of one another may we go through the labors of this day. We pause, we hesitate. Words fail to express our sorrow at such a moment as this. Our brother, a splendid servant of the public, a fine type of Christian manhood, has left the scenes of this Chamber. Father, comfort the afflicted ones who are left, and at last bring them unto Thyself, where they shall no longer look through a glass darkly. Almighty God, be with those who are in any form of adversity. In the home circle, in the business affairs, in any experience which is difficult, O be Thou their comfort and support. May we all realize that the whole of life is a fleeting scene and that the true realm is the invisible one beyond. In the name of our Savior we pray. Amen.

The Journal of the proceedings of Friday, April 28, 1933, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3835. An act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 753. An act to confer the degree of bachelor of science upon graduates of the Naval Academy; and

S. 1415. An act to amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases.

The message also announced that the Senate had agreed to the amendment of the House to a joint resolution of the Senate of the following title:

S.J.Res. 13. Joint resolution authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J.Res. 13. Joint resolution authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Co. and the Richfield Oil Co. of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Co. heretofore duly entered.

PRAISE OF CONGRESS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to incorporate therein a remarkable article, remarkable in that it says nice things about this Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HOWARD. Mr. Speaker, thanks to the gracious action of the House, I was this morning granted permission to extend my remarks and to incorporate therewith something out of the ordinary with reference to our Congress. I find it in the resolution unanimously adopted by the House of Representatives in Nebraska a few days ago, a resolution conveying a message of cheer and encouragement to President Roosevelt and to the Congress anent their courage and fortitude in accomplishing legislation looking to lifting our country out of the ditch of depression into which it was pushed by unholy hands. I am greatly gratified that such a resolution should come from my own home State, a State which for long years has stood very near to Ben Adhem's place in the ranks of States with reference to percentage of literacy, notwithstanding the fact that the people of Nebraska have been officially listed by one of the angels of Mellonism as "The Sons of Wild Jackasses." The resolution to which I refer reads as follows:

Resolution conveying message of good cheer and encouragement from Nebraska House of Representatives to Franklin D. Roosevelt, President of the United States

Preamble

Whereas our beloved President, Franklin D. Roosevelt, since his inauguration on March 4, 1933, with fortitude and courage has "hurled his lances full and fair against the defamers" of our country's welfare; and

Whereas, with the exception of a few scattered snipers for the industrial oligarchy, Republicans and Democrats alike in the Congress have cast aside petty partisan politics for the public good; and

Whereas in these trying days even the stout heart of the President, who is wisely and surely leading this Nation to the high hill from whence we begin to see the dawning of a new day of hope and opportunity for the masses of our people, should know that the citizens of this country in unison voice approval of his policies and program; and

Whereas buying of the entire Nation has been spurred by the inflation prospect and a pronounced quickening has been seen in industry and commerce in commodity prices; and

Whereas the price of agricultural products has increased, due to inflation steps taken by the President at Washington: Now, therefore, be it

Resolved by the House of Representatives of the State of Nebraska in forty-ninth regular session assembled—

1. That this house, expressing the true sentiments of the people of the State of Nebraska, convey through this resolution our confidence in, our trust in, and our support for the policies and principles which our President, as the executive head of the National Government, and through the Congress, seeks speedily to put into force and effect to the end that the deplorable condition of our people may be ameliorated; and may Franklin D. Roosevelt, our President, be sustained and strengthened in the great problems which confront him when we say to him that the people of Nebraska extend good cheer and encouragement for the noble efforts which he is successfully making to stabilize the affairs of this Nation.

2. That this house, without hesitation, endorse the President's plan for the inflation of the currency, as set forth in part 6 of the farm bill, for financing and exercising powers conferred by section 8 of article I of the Constitution, to coin money and regulate the value thereof, which we believe is the greatest step ever taken for the good of humanity.

3. That this house commends the President for the statesmanship displayed by him in the management of the bank holiday, whereby he whipped to justice the hoarders of gold and prevented the flight of American dollars abroad.

4. That this house commends the President for prompt initiation of his defensive measure in temporarily abandoning the gold standards insofar as it relates to foreign competition; and we further urge that, without delay, the President reduce the quantity of gold in the standard dollar from the present 23.22 grains to 11.61 if the creditor class of this country in possession of \$200,000,000,000 of the Nation's wealth fail to employ the fabulous sum of money for the uses of the worthy debtor class upon the basis of a fair interest return, payment of the principal to be amortized over a long period of years, to the end that the returns from the land and from the fruits of labor may repay the creditor without placing obstacles in the path of rehabilitating the debtor, thereby, if the creditor class fails to do its duty in this emergency, taking the wealth away from those who did not earn it and transferring its use under reasonable conditions to those deserving people in our country who have lost it.

5. That this house memorializes the President to provide the United States with bimetallic currency of gold and silver, companies as media of exchange since the era of all antiquity; and favors legislation known as the "Wheeler bill" (S. 2487), which contemplates the free coinage of silver to fix the relative value of the precious metals and thereby provide a uniform currency for the world with which to facilitate trade.

6. That this house unqualifiedly endorses the affirmative steps heretofore taken, as well as those now proposed, by the President

to lend the credit of the United States to home owners, land owners, and other worthy groups and enterprises which are capable of being financed on a self-liquidating basis.

7. That the chief clerk of this house be ordered and directed forthwith to forward to Franklin D. Roosevelt, President of the United States, a copy of this resolution, properly certified and suitably engrossed, as evidence of the love and confidence which the State of Nebraska has in him.

JOHN HAVEKOST.

I hereby certify that the above and foregoing is a true and correct copy of said resolution as passed by the house of representatives in forty-ninth session assembled this 27th day of April 1933.

MAX ADAMS,

Chief Clerk of the House.

INTERNATIONAL COOPERATION UNDER OUR CONSTITUTION

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD an address by my colleague the gentleman from Tennessee [Mr. McREYNOLDS] before the American Society of International Law at its twentieth annual dinner at the Willard Hotel, April 29, 1933.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BYRNS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address by the Honorable SAM D. McREYNOLDS before the American Society of International Law at its twenty-sixth annual dinner at the Willard Hotel, April 29, 1933:

It is a happy augury that the American Society of International Law should have been meeting in Washington during the course of this week. The work of this society has always been important to the current work of the Government of the United States. Never before, however, have you met here under conditions in which the subject of your interest was so intimately and vitally associated with the problems which are uppermost in the activities of our Government. During the course of the present week our President has been conducting a series of international conversations with the visiting heads of various other governments, and I feel sure that the purpose and direction of those conversations, fraught with such significance for the people of our country, must have been very much in the minds of the members of this society.

One does not need to be an expert on the economic problems of the day to know that these problems cannot be met by any government in the world acting alone. Whether we like it or not, the interests of the American people are today bound up with the interests of peoples in other parts of the world. Our problems and their problems are, to a great extent, common problems, and if it was not already clear to us I think it must now be evident from the very acuteness of our situation that action must be taken by our Government, in cooperation with other governments, to meet these problems. That is the significance of the conversations which have been held here during the past week. The President has been preparing the ground for the success of the International Economic Conference which is to meet in London, and upon the issue of his conversations depends also the result of the Disarmament Conference which is now in session in Geneva.

Whatever be the particular problem of the moment in which one is most interested, little progress can be made until it is realized that we are living in an era when, as never before in history, cooperation must be on a world-wide scale. At one end of the Capitol the problem of currency has engrossed attention during the past few days. No judgment of our currency problem can be formed which does not take account of the reactions in other countries of any policy which we may formulate. At the other end of the Capitol we have been considering problems relating to our trade, and immediately we are faced with the necessity of inquiring into the international effect of measures which we would adopt and of measures which other peoples may also adopt. Whatever may have been our preoccupations with reference to the past policies of the United States, whatever positions we may have taken with reference to problems which arose years ago, today we are compelled to adopt a policy of cooperating with other peoples and of organizing our own Government with a view to making that cooperation effective. This, I take it, was what the President had in mind in his inaugural address last month when he dedicated "this Nation to the policy of the good neighbor." Neighborliness may not always be based on a desire to play the role of the good Samaritan, but I think it must always be based upon a desire to meet common problems with a common policy. Cooperation is the essence of good neighborliness, and the President has already shown that his adoption of this policy is to rest, not merely on words but also on action directed to the common good.

I feel that it is a fortunate thing for the people of the United States that we have a Constitution which does not prevent our playing the role of a good neighbor, as I have explained it, in times such as these through which we are passing. It is true that we have the oldest Constitution existing in the world today. Very soon a century and a half will have passed since that Constitution took its form, and yet, through all the strains of this century and

a half, we have been able to find within its framework the possibility of our acting to advance our national interest. The thought I have been so admirably put by the President that I must again quote from his inaugural address: "Our Constitution", he said, "is so simple and practical that it is possible always to meet extraordinary needs by changes in emphasis and arrangement without loss of essential form." It is the application of this principle, which the President has enunciated, to some of our present problems which I should like to emphasize this evening.

Under our Constitution the cooperation of our Government with other governments of the world may take one of several different forms. First of all, there are the formal treaties concluded by our Government in such large number. I believe this society has often discussed the treaty-making power of our Government, and I shall not deal with it tonight. In the second place, there are the less formal Executive agreements, which have been made by the President throughout our history and which play today an important role in international law. I believe this society has also discussed from time to time the constitutional basis of Executive agreements, and I shall not deal with that subject tonight. In the third place, the cooperation of our Government with other governments may be based upon a statutory authority, without going so far as to result in a formal treaty or in an informal Executive agreement. It is this form of cooperation to which I would address myself, and I do so because of some recent experience which has directed my attention to it in connection with our present-day problems.

For some weeks past the Committee on Foreign Affairs of the House of Representatives has had under consideration a resolution concerning the exportation of arms or munitions of war. It is not my purpose this evening to deal with the merits of that resolution. It had the support of the late administration, and it has the support of the present administration; it received the support of my committee, and it was voted overwhelmingly in the House of Representatives a few days ago. In my judgment, this resolution is an essential piece of legislation if our Government is to play its proper role in international affairs. But I don't want to deal with its merits. I invite your attention to the topic only as an example of the many fields which call for a type of international cooperation.

The resolution which was passed by the House of Representatives gave certain powers to the President to be exercised by him after he had secured the cooperation of such other governments as he deemed to be necessary. Clearly, if any embargo is to be placed upon the shipment of arms to a particular country, the United States must act in unison with other countries or else our action will be wholly ineffective. We could not penalize our own manufacturers to the advantage of their competitors in other lands. It was a great astonishment to me, therefore, when several men, learned in international law and I believe members of this society, questioned the constitutionality of the pending resolution on the ground that it would "enable the President to make international engagements of the most far-reaching kind at his will", and would therefore be a delegation of treaty-making powers. Of course, as that argument was advanced it did not take account of the actual wording of the resolution before the House; the resolution would not authorize the President to enter into international engagements; it would merely authorize him to act in cooperation with other governments. The President might secure such cooperation by persuading other governments to act on a common policy with our own. Now I need not point out to this learned society that if two governments act on a common policy they do not necessarily engage to do so, nor do they engage to continue to do so. What the resolution proposes is not that the President should enter into engagements with other governments, but that he should enter into negotiations with them with a view to the adoption in particular circumstances of a common policy. The resolution does not confer power on the President. He has power to negotiate already. It merely directs him to exercise his power of negotiation for the purpose of seeing that action taken by the United States is at the same time paralleled by action taken by other governments, if necessary.

Aside from the misconception of the words used in the resolution, however, it was a matter of some astonishment to me that anyone should at this state of our national history attempt to question the constitutionality of legislation which would call for the President's action in cooperation with other governments. Throughout our national history, legislation has authorized the President to take action only after negotiations with other governments. Our legislation to this effect dates since the early days of the Republic, and it applies to a variety of subjects. Members of this society will be very familiar with the nonintercourse acts of our Government more than a century ago, and I will mention particularly the acts of 1809 and 1810, which conditioned the suspension of trade provided for upon the President's proclamation of the attitude of other governments. Dealing with more recent examples, our tariff legislation has long proceeded on this principle. Under the Tariff Act of 1890, the President was empowered to suspend free entry of certain articles from other countries if he was satisfied that their governments imposed unequal and unreasonable duties on our products. In a celebrated case before the Supreme Court, the case of *Field against Clark* in 1892, the constitutionality of this provision in the Tariff Act of 1890 was attacked and it was contended that the provision delegated to the President "both legislative and treaty-making powers." In that case the Supreme Court reviewed our legislation at great length, and it found numerous precedents to show "that in the judgment of the legislative branch of the

Government, it is often desirable, if not essential for the protection of the interests of our people, to invest the President with large discretion in matters arising out of the execution of statutes relating to trade and commerce with other nations." The Supreme Court, therefore, held that the tariff act did not transfer legislative and treaty-making power to the President, and more recent legislation, particularly in 1897, has followed the act of 1890.

The members of this society will also be familiar with numerous other legislative provisions directing the President to take certain action as a result of the attitude of other governments. Such legislation deals with our reciprocal copyright relations, with relief from double income tax on shipping profits, with discriminating tonnage duties, and with a host of other topics.

Now, it was this long course of legislative history upon which the resolution before the House of Representatives was framed, and I think members of this society will understand why many of my colleagues were astonished that the views should have been presented by eminent international lawyers that the pending legislation was unconstitutional.

I speak of this matter tonight, not because of my interest in the arms embargo resolution but because of my interest in the efficiency of the Government of the United States in dealing with the national emergency. I must repeat that in my judgment it is most fortunate that the Constitution does not frustrate our Government in an era of international cooperation. Being a lawyer myself and having served for many years on the bench, I hope you will understand my saying that the problems of the present day are not to be solved by a narrow legalistic attitude toward the Constitution. The Constitution of the United States is above all an enabling instrument. It enables the President, with the advice and consent of the Senate, to make treaties; it enables the President, with statutory authority, to enter into Executive agreements; it enables the President, within limitations set by legislation, to conduct the foreign policy of the United States in such a way that we do not occupy an isolated position in the world. I am profoundly grateful to the framers of our Constitution that they should have worked so successfully that today we have a constitutional system which can be adapted to meet the problems with which we are confronted.

It is quite true, as an eminent journalist informed us in yesterday morning's paper, that the Constitution forbids Congress to abdicate; but as I read it the Constitution also forbids the Government of the United States to abdicate in a great emergency and it forbids Congress in a situation such as the present one to stultify the Government of the United States by making it impossible for us to occupy our proper positions in the world. The President has given us the lead in his inaugural address. I hope his efforts will find the warmest sympathy here among the members of the American Society of International Law. I hope that his hands will be held up during these weeks when he is attempting to work out, with other governments, a common policy to meet the depression, and I look forward to the future with confidence, because I feel that we are on the right road toward a cooperative solution of world problems.

"DOINGS" OF CONGRESS—THEIR EFFECT ON THE LUMBER INDUSTRY

Mr. DUFFEY. Mr. Speaker, I ask unanimous consent to insert in the RECORD remarks by myself on the doings of Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DUFFEY. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following address delivered by myself on the "Doings of Congress" at the forty-first annual meeting of the National American Wholesale Lumber Association, held at the Mayflower Hotel, Washington, D.C., April 26 and 27, 1933.

History is the record of the doings of mankind. History is being made in the doings of the Seventy-third Congress of the United States, which assembled in the extra session in Washington on March 9, 1933. The laws passed and to be passed will be studied by historians and political economists in the future, for the Nation is now beset with serious new economic and political situations. Perhaps we can only look ahead a little way on the "new deal"; but, as we look back, it is instantly apparent that return to prosperity by the old method is impossible.

Our Nation is at peace with the world today. But we are troubled with conditions in many respects comparable to those of war. The President of the United States is, by the Constitution, the Commander in Chief of the Army and the Navy, and today he is the Commander in Chief of the forces united in the common cause of a return to economic prosperity and leadership.

CONGRESS IN SESSION ONLY 48 DAYS

I will not deny myself this opportunity and privilege to express my respect and loyalty, as a Member of the Congress, to the Commander in Chief. Only 48 days have passed since Congress convened. The American people, without regard to Republican or Democratic partisanship, have new hope today, new confidence, new determination. Citizens have a real interest in public affairs,

a better understanding of economic and political problems, and a closer interest in the doings of their Chief Executive and the Congress. Events have happened so fast and furiously that one marvels at the fundamental changes brought about in so short a space of time.

NATIONAL EMERGENCY IN BANKING

Hardly had his first message been read in Congress than a new law was passed to provide immediate relief in the existing national emergency in banking. It was a call to arms by the Commander in Chief against the forces of an economic war, taking heavy toll on the resources and assets of our gold supply, and causing widespread consternation. Banking operations had ceased, and the opening of the banks for resumption of business was mandatory. All sound banks are now reopened, and each day more and further institutions are resuming their normal functions.

MAINTENANCE OF NATION'S CREDIT

No nation can survive when withdrawals and expenditures exceed receipts; and the billions of dollars in national deficit were mounting to a point where drastic, war-time action and authority must be exercised to save the Nation. These great deficits had had a disastrous effect upon the credit of our Government; we were nigh the brink of bankruptcy, and passage of a drastic new law for the maintenance of our Nation's credit was most vital and essential. By the Economy Act almost half a billion dollars was cut from governmental expenditures, and confidence was restored in the ability of our Government to meet its obligations and refundings. Loyalty to the leadership of the Chief Executive demanded a measure of courage on the part of the Members of the Congress at the very outset of the session; for back home among the voters were those who were dependent on Government pensions, the needy and worthy veterans, who themselves had once answered the call to arms in their Nation's defense, the widows, the children, and dependent mothers, the Spanish-American War veterans, none at that time cognizant of the emergency situation and believing that all would be adversely affected, when in fact reasonable rules and regulations were to be promulgated by the President; and every officer and employee of the Government was faced with a 15-percent reduction in compensation and salary. This country was in a state of war—not against a foreign enemy, but against economic evils that demanded sacrifice on the part of every citizen, that required drastic, immediate action in order that the institutions of our Government would endure.

THE BEER BILL

When expenditures were reduced by this Economy Act, the President and the Congress did not hesitate to provide new revenues. Congress was faced with the task of finding new sources of taxation or increasing existing levies. The beer bill became law and is a substantial factor in making up necessary revenue, to say nothing of the fulfillment of a campaign promise to our people to provide a palatable, nonintoxicating beverage. Nationwide approval and an impetus to business and employment followed, and definite steps were again taken toward the balancing of the National Budget.

STATE BANKS AND DEPOSITORS

At this time what was happening in the field of banking in the several States of the Union? A chaotic condition existed; closed banks on every hand, wide-spread discouragement of thousands of depositors, life earnings slipping away, frozen assets requiring years to realize cash; and the only relief in sight resting with the Congress. An emergency law was passed to provide direct loans by Federal Reserve banks, to State banks, and trust companies, even to individuals, partnerships, and private corporations, in connection with the use of the credit of the Federal Reserve System. Authority was created for the issuance of Federal Reserve bank notes (as distinguished from existing Federal Reserve notes) on eligible security without the necessary gold requirement exacted under previous laws and regulations. Hundreds of State banks (at that time and in many instances not yet members of the Federal Reserve System) were given direct Federal aid, and thus was restored in some measure a banking system to serve the legitimate interests of the American people involved in such a tragic situation.

FARM LEGISLATION

Emergency farm legislation is a matter of grave concern, to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, to provide orderly liquidation of the joint-stock farm banks. The plight of the farmer is a major economic problem confronting the American people today. Reasonable minds may differ in the method, or plan, of farm relief; but there is dire necessity for immediate relief for deflated farm values, and violent decline in prices. Adequate farm legislation will become law, furnishing definite help and concrete results to the farming industry. New farm-loan bonds will be authorized and the proceeds used to enable the farmer to refinance on better terms, to provide him with working capital, and to redeem or repurchase his farm home where foreclosed within the past year.

UNEMPLOYMENT AND REFORESTATION

Millions of our citizens are unemployed, without visible means of support. Laws passed, and plans for the employment of hundreds of these men are well under way, in the national forests of the far western States, the national parks, and State and private forest lands, under an act of Congress passed for relief of the unemployed through the performance of useful public

works. This great conservation work provides for food, shelter, clothing, medical services, and opportunity for a summer of outdoor life, while a part of the wages to be paid will, by prearrangement, go back home to help parents, and wives and children, who today are dependent on public charity for sustenance.

FEDERAL AID FOR LOCAL RELIEF

Unemployment relief has, also, been extended by cooperation of the Federal Government with the several States and Territories in relieving the hardship, suffering, and destitution of the present-day emergency. Over a period of 3 years, these relief expenditures throughout the Nation increased over 800 percent; and these vast expenditures, now caring for over 4,000,000 families, have caused the municipalities and States to struggle for revenue out of rapidly decreasing tax receipts. Past relief measures became inadequate; and now Federal, with local State resources, are joined together in the common cause to provide the elementary demands of citizens for food, clothing, and shelter. This great humanitarian legislation grants relief to needy citizens, removes anxiety and concern for their welfare and stays their distress.

5 DAYS PER WEEK, 6 HOURS PER DAY

The Senate has passed, and the House now has under consideration, a bill to establish the hours of labor at 6 hours per day, 5 days per week, to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities, and to regulate interstate transportation. There is much to be considered in this legislation and its direct effect on interstate industry. Public hearings now being conducted would indicate that amendments will be made, striking out the exact number of hours or days, and placing the power and authority in the Secretary of Labor to regulate with responsible flexibility. Perhaps an "hours of work board" of 3 will be authorized, 1 appointed by the Department of Labor, 1 from among the employees, and 1 from among the employers. At this time I can only refer to this legislation. In some form it will come forth, to be widely discussed and again reconsidered by the Senate, if passed by the House as amended; and, of necessity, if repassed, submitted to the President for final approval or disapproval. This form of social and industrial legislation requires most serious study to fairly decide what is best in the interest of the persons concerned.

MUNICIPAL BONDS IN DEFAULT

The obligations and bonds of our cities and political subdivisions of the various States have, in many instances, depleted so much in value as now to cause real concern to people dependent on dividends and income from insurance companies, annuities, or other forms of income from sources heretofore believed to be immune from default or loss. Bankruptcy in some instances threatens the existence of many communities, and, though it is apparent that relief by moratorium or scaling down is an urgent need, perhaps through the exercise of constitutional powers in bankruptcy legislation, yet no definite or workable plan has been evolved. Pending legislation is perhaps intended to grant some relief to municipalities now in a tangled financial condition; but to destroy our last vestige of confidence in public bonds, to impair the financial position of other American cities, as well as any encroachment by the Federal Government upon the sovereignty of the States and political subdivisions, would cause immediate confusion and complications.

BLUE SKY LAW

This distress in public securities is even more reflected in private stocks and bonds. Here Congress can and will step in for the people's interest by the enactment of a blue sky law. Federal supervision of traffic in investment securities in interstate commerce will protect the people from a continuance of the severe losses through practices heretofore indulged in, neither ethical nor honest. Not any guaranty, not an approval of new issues, but truthful information, so that every important element attending any new issue hereafter, domestic or foreign, will be known to the public.

ON OR OFF THE GOLD STANDARD

We are not all political economists, but we have attained that degree of intelligence to have an adequate understanding of the meaning of "gold standard", and whether we are "on" or "off." We are "on" when the unit of currency is expressed in terms of gold and currency is redeemable in gold on demand, and imports and exports are unrestricted. We are "off" when these conditions and terms are not met. The departure from the gold standard may be involuntary, as in the case of England, or voluntary, as was substantially the case in our country. England was forced off because her gold reserves had practically vanished by a run due to an unbalanced budget and assets frozen in other countries. Action in the United States was not wholly voluntary but was due to a different set of causes and really is voluntary, because our Government had plenty of gold and we could have withstood any run or demand. But serious adverse financial conditions existed from within and from without our border and they had to be met.

EXPANSION, NOT INFLATION

The term "inflation", so commonly used, is really a misnomer. We mean by that term an "expansion" of the currency, and currency expansion is positively essential to the entire reconstruction program. Ours will be a controlled expansion, with vested power and authority in the Chief Executive, instead of the old control of national and international bankers. The tendency will be, of course, to increase and stabilize prices at a proper level, force

more favorable agreements for stabilization in foreign exchanges, cut the cost of the war-debt payments, with some basis in sight for settlement of this embarrassing question, and grant a measure of protection against foreign raids under their depreciated currencies. Whether you are proponents or opponents to the continuance of the gold standard, it is undeniable that approval is voiced on every side of the recent happening in the matter of currency expansion.

HOME OWNERS' MORTGAGES

Perhaps the most important legislation insofar as home owners are concerned—and you are vitally interested in the welfare of the home owner—is the legislation to provide emergency relief and refinancing with respect to home-mortgage indebtedness, to extend aid to the owners of homes occupied by them and who are unable to amortize their debt elsewhere. This legislation does not provide money for new construction, nor for any new financing. It is applicable only to home mortgages executed and recorded prior to the effective date of the act. It will aid the home owner in preserving his equity; it will encourage him and others to make needed repairs. There will be a newly created corporation, called "Home Owners' Loan Corporation", to be the instrumentality of the Government, under direction of the existing Federal Home Loan Bank Board, and conducted and operated by bylaws, rules, and regulations, as may be prescribed from time to time. Government bonds will be issued in an amount not to exceed \$2,000,000,000, maturing in a period not to exceed 18 years, interest at 4 percent, unconditionally guaranteed as to interest only, and exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) imposed by the United States.

The corporation will negotiate with home mortgagors and mortgagees for the exchange of bonds for home mortgages executed and recorded prior to the effective date of the act; and some cash can be advanced to pay delinquent taxes and assessments, or provide necessary maintenance or repairs to make the home habitable. The face value of the bonds, in different denominations, so exchanged, plus accrued interest and advances, shall not exceed in any case 80 percent of the value of the property upon an appraisal not exceeding \$15,000, made by the corporation; and when junior encumbrances are recorded or filed against the premises, they, too, may participate, providing the gross indebtedness evidenced by the new mortgages does not exceed the 80 percent of appraisal at a gross face amount of not exceeding \$10,000. Any difference in the unpaid obligation of the mortgage shall be amortized by monthly payments sufficient to retire the interest and principal within a 15-year maturity period, or sooner when possible, and the interest charge on the new mortgage on any unpaid balance to be at the rate of 5 percent. The spread of 1 percent between the face of the Government bonds and the amount set forth in the mortgage is very small, because, from experience, it is not enough to cover the necessary administrative expenses and the losses usually attending this form of mortgage security. We expect to lose some part of this money; and who cares, when the home owners of our country are aided in saving their homes?

BUILDING-AND-LOAN ASSOCIATIONS AIDED

We will find a new condition in the field of building-and-loan associations, as we are experiencing in the field of banking. Our building-and-loan associations throughout the land, always the friend of the home owners and the building industry, will benefit greatly if they, too, will bestir themselves to the advantages provided in this new legislation. In order to provide local mutual thrift institutions where savings may be placed with a new confidence and feeling of security, the Federal board is authorized to provide for new associations, to be known as "Federal savings-and-loan associations." These new associations are not intended to, and will not, enter a community which is now sufficiently served. Such newly created associations automatically become members of the Federal home-loan bank, which is authorized to subscribe for preferred stock to assist in organization. Existing building-and-loan associations, where the State statutes permit, may be converted into Federal savings-and-loan associations by compliance with the act in subscribing to the Federal Home Loan Board. To build up and to aid mortgagors and building-and-loan associations is the end and purpose of this welcome and worthy legislation, and at least 8,000,000 homes in the United States can thus be refinanced and saved from the penalties of foreclosure and loss, especially the small, struggling home owner. Some amendments will be made, but substantially the new act will receive approval.

OTHER LEGISLATION

Much could be said about legislation yet to be considered—for the Congress will remain to finish its work before adjournment—as, for instance, the railroad problem, Muscle Shoals, 3-cent postage, appropriations, and so on; but I would give some thought to the effect of this legislation on the lumber industry, or, for that matter, almost every industry.

EFFECT ON BUSINESS AND INDUSTRY

Already we feel better; improvement is noticeable on every side. The "new deal" has taken hold. Some business is stimulated; a spirit of confidence is restored, many fears have been dispelled, and a new optimism has been inspired. Mr. Hoover once said, "Prosperity is just around the corner." But, alas! It was not so! Mr. Roosevelt and the Congress have done more in a short 48 days than Mr. Hoover and the Congress have done in the past 4 years! But I would not be true to the situation, if a note of warning was not sounded. In the very nature of things economic,

and, because we all are human, unfavorable reaction is sure to occur; there will still be a measure of discontent. Experience will give more light, if we be but patient; confidence on the part of the American people will produce results; cooperation in upholding the authority and acts of the President and the Congress will carry us forward; resistance to adverse reactions and unwarranted criticism should be waged against those who would rather tear down, or retard, than help. I reiterate that it is of the utmost importance for social and industrial progress that business men endeavor to give all proposals for social and industrial legislation an unprejudiced consideration.

"NEW DEAL" FOR LUMBER INDUSTRY

Start the wheels in industry, but first put your house in order. Never again will lumber be distributed and sold as was done 5 and 10 years ago. I am informed that lumber production last year was the lowest since the Civil War, less than 10,000,000,000 feet. Consumption was only one third of that of the year of 1929. Depletion of working capital and credit has been severe in your industry, as much hit as any industry. So you have much to recover; but abandon the old practices, giving all or splitting commissions or discounts to your trade; dual representation forcing lumber to compete with itself; entering new markets without adequate knowledge of local conditions; financing weak buyers; secret price concessions; pool car sales to more than 2 or 3 customers. These, and like abuses, should go from your midst; and, in their place, should arise a new determination from well-planned effort to increase the Nation's consumption of lumber, and strike a proper balance between production and consumption.

ORGANIZE AS NEVER BEFORE

Three suggestions I offer, each dependent, one on the other: Self-regulation within the industry; controlled production balanced with the distribution and sale of lumber; and emergency legislation to legally grant and permit your basic, necessary industry to organize and function.

It is patent that the three natural and economic fields in the lumber industry are: (1) The manufacturer, (2) the wholesaler, and (3) the retailer. In years past the lumber industry was over-organized and activities overlapped at great loss of energy, influence, and money. Disregard for the ethical and economic rights of others within the industry itself has brought you to this position of lacking the unity and strength of purpose that should come from intelligent organization. Your industry must start over with a "new deal", and you must "do it now." If you profit in wisdom from the experience and vicissitudes of the past, then look to the present and to the future. Begin this time at the top and work down; begin at the mills and work through to the ultimate consumer. Consolidate into one great tied-in industry for your own good and in the public interest. Lumber is an economic necessity for shelter, as food and clothing are necessary for sustenance.

A strong national lumber manufacturers' association, a strong national American wholesale lumber association, a strong national retail lumber dealers' association, gathering together under these units, the influence and cooperation of every State and regional association of every kind and species; separate, but united; distinct, but coordinated; contrary interests made to be reconciled; and through strength within, the industry can combat and fight against substitutes and loss of markets, and be united against the common enemy during an economic distress.

CONSERVATORS (?)

I am in favor of protection of States' rights against the encroachments of a centralized government; and I resist the entry of State or Nation in private business. I would be the last to advocate that the lumber industry should be under Government control. But, to repeat, "It is apparent that return to prosperity by the old method is impossible." Nowadays, we hear the word "conservator", a guardian, a protector. Now it is pronounced "conservator", a new word, but known in early English law. It has been recently applied to one appointed to take over the affairs of a bank; and we seem not to understand just what the word means, but, in its application in a practical way, it represents a plan which serves to salvage assets and permits reorganization with less loss to depositors and stockholders alike. Do you need "conservators" in your industry? A "conservator" in any given industry or unit branch should have some Government authority and supervision, with safeguards and reservations retained and controlled by the industry.

SUPPLEMENT THE SHERMAN ANTITRUST LAW

I refer to the effect of the Sherman antitrust law and the antitrust laws of the various States upon competition today. Lumber products are being sold at a loss. If the seller is able to obtain a price for his merchandise which will take care of his production cost and handling expenses, and pay a portion of his overhead, he will make a sale in the belief that it is better to sell and acquire a gross profit to apply on this overhead expense, rather than not to make the sale, and then have nothing to so apply. This net loss is one of the contributing causes to delay in recovery of business. Prosperity and profit are synonymous terms. The larger industries should be in a position to make reasonable profit or at least break even. The average business man, due to his fear of antitrust laws, will not enter into an agreement with his competitor which would enable him to sell his product at a reasonable price. Competent legal advice and counsel is of little

avail on this subject, because the lawyer can only relate what the law prohibits, and not what it permits. No particular case can be taken as a criterion or precedent, for the facts are invariably not the same. The conditions in one industry are not applicable to another. The law should protect the business man who in good faith wants to obey the law, avoid any injury to the public interest. Some judicial or semijudicial authority should exist to permit him to know in advance, not when it is too late, what he can do without fear of violation.

APPALACHIAN COAL CO. CASE

There has been considerable discussion in the press and trade journals about the recent decision by the Supreme Court of the United States, in what is known as the "Appalachian Coal Co. case" (No. 504, October term, 1932; decided Mar. 13, 1933). In this case, the challenged combination arose because of the creation by agreement of coal producers of an exclusive selling agency; and was held valid. Much has been made of the decision that the formation of this sales agency automatically eliminated competition among members of the agency. It may be another forward step by the courts to liberalize the provisions of a rather harsh statute; but the general discussion of the case, however, has overlooked the fact that the court held that the evidence "makes it impossible to conclude that defendants through the operation of their plan will be able to fix the price of coal in the consuming markets."

And, further, the Court held:

"The proof clearly shows that wherever their selling agency operates it will find itself confronted by effective competition backed by virtually inexhaustible sources of supply and will also be compelled to cope with the organized buying power of large consumers. The plan cannot be said either to contemplate or to involve the fixing of market prices."

The Supreme Court retained jurisdiction of the case, and at the end said:

"With the provision that the court shall retain jurisdiction of the cause and may set aside the decree and take further proceedings if future developments justify that course in the appropriate enforcement of the Antitrust Act."

The present antitrust statutes grew out of the peculiar economic conditions of the Nineties. It was a distinguished Senator from Ohio, Senator Sherman, in 1890, who sponsored the legislation. Conditions have changed, after 43 years; and, as the conditions have changed, the antitrust laws have been modified to meet them, in some cases by legislation, and in other cases by liberalization of their provisions by the courts. Labor and agriculture are exempt. Why not industry? The case reflects the present effect of existing economic conditions upon the Courts' attitude toward a law enacted to cope with altogether different economic problems.

OHIO TOBACCO CASE

In Ohio, a tobacco association organized and made agreements with its members that the membership should sell and deliver to the association all tobacco grown for a period of 5 years. The validity of such agreement came before the supreme court of my own State of Ohio (*List v. Burley Tobacco Co., Growers Cooperative Association*, 114 Ohio State, 361); and the court held it to be valid. It said, "This controversy involves a legal problem, but the legal problem cannot be entirely divorced from the economic problem." The real question was one of public policy. The court referred to the situation in the agricultural industry, recognizing the fact that the persons engaged in such industry were widely scattered, many of them were small producers of limited means, and somewhat at the mercy of the purchaser, and without voice whatever in making prices or terms. Hence, such conditions justified their exemption from the State antitrust laws.

UNITED STATES SENATE INVESTIGATION

Many persons believe—and no doubt it is true in too many instances—that monopolies invade our domestic and industrial life. There are monopolies of buyers, however, as well as sellers. Unreasonable prices and monopolistic restraint are against the public interest. I do not advocate either the repeal or the amendment of the present Sherman antitrust law; but I submit that the Sherman law should be supplemented by the enactment of a new section designed to meet the situation in industry. I am not unmindful of the fact that Chief Justice White years ago, in a Standard Oil case, wrote the word "reasonable" into the statute, and this decision has not been reversed.

There is now pending before the Senate Committee on the Judiciary a resolution (73d Cong., 1st sess.; S.Res. 36, by Mr. KING, of Utah) which, if passed, authorizes an investigation for the purpose of determining what, if any, legislation is required to strengthen and extend the provisions of the antitrust laws. The Congress represents the people. Why hold back from making your problem known and openly and publicly asking and advocating what you, in good faith, believe necessary for the salvation of your industry? Prepare to present a definite plan to the Senate Judiciary Committee, or arrange a conference with the author of the resolution, Mr. KING, or a conference with the chairman of the committee, Mr. ASHURST, of Arizona. Labor and agriculture do not hesitate to ask. Why should industry? Approach your Government; do not await its coming to you. If industry asks, it may receive. Advocate the right to organize, in order to establish ways and means for fair and reasonable competition and at a reasonable

profit, and not against public policy, and as may be determined upon findings under rules and regulations by some Federal agency to be created or by the Federal Trade Commission or Department of Commerce.

But I must conclude, my friends. It was Joyce Kilmer, in his "Memoirs and Poems", who wrote:

"TREES"

"I think that I shall never see
A poem lovely as a tree.
A tree whose hungry mouth is prest
Against the earth's sweet flowing breast."

And at the end he recites:

"Poems are made by fools like me,
But only God can make a tree."

I, too, would be a poet; my looks may not show it:

"Suggestions, too, are made by me;
But only you can make them see."

There is sentiment and beauty in the harmonious tones of the American walnut; in the dainty, cheerful highlights of bird's-eye maple; in the practical uses of the hard and soft maples; in the stately fir and redwood; in the rugged hickory; and in the many uses of the mighty pines.

You represent a wonderful industry, an economically necessary industry, and you and I have a great Commander in Chief in our President of the United States, Franklin Delano Roosevelt.

NEEDS OF EDUCATION—ADVANCEMENT

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of finance and education.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, the advancement that has been made in education in recent years has been a source of pride and satisfaction to the people of this Nation. Within the last decade we have noted the improvement in educational standards and the higher qualifications of the men and women who have been attracted to the field of education by the higher standards of remuneration and advancement offered in the teaching vocation.

When this Government was established and the Constitution adopted it was the express purpose "to secure the blessings of liberty to ourselves and our posterity."

To carry out the ideals on which this Nation was founded the importance of promoting education was early recognized. The great centers of learning—Yale and Harvard—had already been established. With the need of education always in mind, our school system rapidly followed the pioneers that settled in the great West.

The South, the seat of slavery, was slow to adopt the public-school system but relied for education on the employment of private tutors and governesses patterned after the English system of the last century.

One of the most outstanding examples of the accomplishments of our educational system is the progress and development of the natives of the Philippine Islands. Many of us remember when outward-bound ships were taking scores of American teachers to our island possessions to establish there such American school systems, with the result that such strides have been made in the educational advancement of these backward people that the setting up of a new nation among the powers of the earth is being seriously considered by granting independence to the Philippines. Would that Russia could have had the benefit of a decade of our educational system. What misery and bloodshed could have been averted had the training of the Russian youth been intrusted to our sweet-faced school teachers.

The great strides of material and cultural advancement in this country can be traced and credited to the continual progress made in the upbuilding of our educational system. Native intelligence and ingenuity assisted by liberal education has enabled America to outstrip all other countries in raising the living standards of its population. Science applied to government in a brief century has made this Nation preeminent among world powers.

While great progress has been made in most branches of human endeavor, we find we have lagged in applying the science of finance to the needs of our people. Many dis-

interested leaders in political economy are agreed that our monetary system is obsolete, that it is failing to meet the demand that rapidly expanding business has placed upon it.

It is the expressed opinion of many of our political economists that our monetary system must be revised, broadened, and recast that business and the producing interest of this country may be restored to a measure of prosperity that will insure the support of our schools in the present state of efficiency. We must turn our attention to remedying the cause of this recession in material prosperity rather than to lowering our living standards and undermining our educational system by reducing the compensation paid the teaching body, thereby depriving our schools and the teaching personnel of the benefits of the advancement so slowly attained through the last two decades.

Real progress in this country is based on the advancement of our educational standards and not on a downward readjustment of business to meet the exigencies of a shrinking monetary system.

We must replenish the shrinking volume of our circulating money medium by freeing business of the shackles of an obsolete monetary system. Of everything else we have an abundance to maintain the high standard of prosperity attained in the past decade.

To continue on the path of progress our educational system must improve, not retrogress.

LABOR'S SHARE IN EXPENDITURES FOR WATERWAY IMPROVEMENTS

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein a brief table prepared by engineers of the War Department showing the proportion of river and harbor work that goes to labor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, in view of the fact that a public-works program is now under consideration for the relief of the unemployed, it will be of general interest to the people of the United States to know the proportion of river-and-harbor and flood-control expenditures that actually goes for labor.

The Corps of Engineers of the War Department have completed a very careful study of the matter, and the result of their investigation shows that of expenditures for lock and dam construction 76.9 percent is for labor, for concrete bank-revetment construction 80.2 percent is for labor, for levee construction 78.5 percent is for labor, and in dredging operations 76.8 percent of expenditures is for labor.

Probably no other type of necessary public-works expenditures will show a greater proportion for labor than that embraced in river-and-harbor and flood-control works. The following letter and memorandum from Colonel Kingman, of the Corps of Engineers, are self-explanatory:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 28, 1933.

Memorandum for Judge MANSFIELD.

DEAR JUDGE MANSFIELD: At General Brown's direction, I am sending you several copies of a memorandum showing the amount of labor employed on river-and-harbor and flood-control works.

Sincerely,

JOHN J. KINGMAN,
Lieutenant Colonel, Corps of Engineers.

APRIL 27, 1933.

Subject: Amount of labor employed on river-and-harbor and flood-control works.

Memorandum for General Brown.

1. The following analysis, showing proportion of money spent for direct and indirect labor on work done by the Corps of Engineers, United States Army, with Government plant and hired labor, has been compiled from the records and cost accounts of the Engineer Department.

2. The indirect labor charges are based on the proportionate labor costs of commodities delivered from figures secured from a representative of the Tariff Commission.

	Lock and dam construction percentage	Concrete bank-revetment construction percentage	Levee construction percentage	Dredging operations percentage
Direct labor:				
Labor used in construction, including plant operation	30.0	34.0	34.0	25.7
Labor used in repairing plant	4.0	8.0	10.0	16.2
Surveys, superintendence and overhead	7.2	5.4	9.0	9.1
Miscellaneous service			3.5	
Total	41.2	47.4	56.5	51.0
Indirect labor:				
Materials and supplies used in construction	32.9	30.0	14.0	18.1
Materials and supplies used in repairing	2.8	2.8	5.6	7.7
Miscellaneous supplies			2.4	
Total	35.7	32.8	22.0	25.8
Total direct and indirect labor	76.9	80.2	78.5	76.8
Other costs:				
Basic materials	16.1	14.8	10.5	15.0
Depreciation	7.0	5.0	11.0	8.2
Total	23.1	19.8	21.5	23.2
Total cost	100.0	100.0	100.0	100.0

¹ It is interesting to note that the total percentage for direct and indirect labor varies only slightly regardless of the type of work.

NOTE.—When work is done by contract the contractor's profit, such as it may be, must also be met. Under the provisions of the law, a contract may not be awarded if the bid exceeds by 25 percent the estimated cost of doing the work by Government plant and hired labor. This provision serves to prevent the payment of excessive profits to the contractor. In point of fact, under present conditions, bids received are frequently less than the estimated cost of doing the work by Government plant and hired labor.

JOHN J. KINGMAN,
Lieutenant Colonel, Corps of Engineers.

PERMISSION TO ADDRESS THE HOUSE

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SHALLENBERGER. Mr. Speaker and ladies and gentlemen of the House, before 1929 our Nation sold more than \$5,000,000,000 worth of goods to the rest of the world. For 1933 the volume of our foreign trade has fallen to less than \$2,000,000,000. We have therefore lost more than \$3,000,000,000 of our foreign business, and the shrinkage in domestic commerce is even greater.

Our great President is moving with characteristic dispatch to reclaim the foreign markets we have lost. He has called a world-wide economic conference in an effort to recover our world-wide trade. It should be the policy of the Congress to promote wherever possible the development of new industries that will build up our home markets, relieve unemployment, and expand the buying power of the people generally.

With this great problem in mind, Mr. Speaker, I have today introduced a bill for the purpose of promoting the use of blended gasoline and alcohol for internal-combustion-engine fuel.

The bill has the endorsement of and is sponsored by a committee of citizens representing general farm interests throughout the Nation and is actively supported by the leading agricultural organizations and by a wide range of business interests concerned with the problem of increasing the farmer's purchasing power. The members of the Motor Fuel Alcohol Committee are Clifford V. Gregory, editor *Prairie Farmer*, Chicago, chairman; M. S. Winder, secretary American Farm Bureau Federation; E. A. Eckert, chairman executive committee, National Grange; Charles E. Hearst, president Iowa Farm Bureau Federation; Earl C. Smith, president Illinois Agricultural Association; William H. Settle, president Indiana Farm Bureau Federation; LeRoy Melton, president Farmers' Equity Union of America;

and C. E. Huff, president Farmers' National Grain Corporation.

Of all the new uses for farm crops that have been suggested, the manufacture of industrial alcohol from corn and other farm products and its use blended with gasoline for motor fuel seems to promise most in the way of widespread and permanent benefits to the entire agricultural industry. The enormous consumption of motor fuel in America is well known.

If alcohol from farm crops was to supply a part of the Nation's consumption of motor fuel, a new use would be established for hundreds of millions of dollars' worth of surplus farm crops adapted to the production of alcohol for fuel. A 5-percent alcohol blend for all motor fuels consumed would require from 300,000,000 to 350,000,000 bushels of corn annually; a 10-percent blend would require from 600,000,000 to 700,000,000 bushels, if the alcohol is produced from corn alone. The revenue derived from the operation of the law would be a very considerable item toward reducing the Budget deficit, and the tax collected would be covered directly into the Federal Treasury.

In approaching the problem, the interested organizations have sought to develop a plan which will be easy and simple to administer and which will not impose undue burdens upon the petroleum industry and users of motor cars but will actually be to their advantage. The oil and automotive industries would profit from increased farm purchasing power. The enlargement of existing industrial-alcohol distilleries, the construction of new plants, would contribute immediately to increased employment of labor, greater railroad revenues, enlarged coal-mine operations, and other collateral lines.

THE PLAN PROPOSED

It is proposed to amend the Revenue Act of 1932 so as to apply an additional Federal tax of 1 cent per gallon for gasoline, not blended with alcohol, produced from domestic farm crops for the period ending December 31, 1933. For the period ending December 31, 1934, to tax gasoline not so blended 2 cents per gallon; and thereafter to tax unblended gasoline 3 cents per gallon. The tax differential in favor of the blended fuel is 1 cent per gallon for the first 18 months and 2 cents per gallon after December 31, 1934.

It is not contemplated that oil companies would actually blend all of their gasoline with alcohol at the low percentages specified. The proposed amendment provides that the oil producer who during any tax period acquires and blends alcohol to the amount of 1 percent of his gasoline sales shall be entitled to the lowest rate of tax, regardless of the fact that he may have blended 10 or 15 percent of his alcohol with certain grades of gasoline while the remaining fuel may be sold unblended.

To illustrate in another way: An oil company which purchased and blended 1,000 gallons of alcohol would be presumed to have produced 100,000 gallons of blended gasoline during the period for which the specified percentage is 1 percent.

There is an active demand for alcohol-blended fuel at present. It is believed that the merits of the new fuel will soon result in an enlarged market and that users will pay a premium for it, so that regions remote from sources of alcohol would not have their gasoline taxed beyond the present rate.

The alcohol-blended fuel will be popular with motorists, and its use will spread, so that the percentage of alcohol can be increased without difficulty to 5 percent after the first 18 months.

TECHNICAL QUESTIONS AND PRACTICAL USE

Conclusions as to the performance of the blended fuel, and technical points that have been raised, are based on experience in foreign countries and in the United States, where large-scale tests with hundreds of automobiles of all makes have recently been made by the Illinois Agricultural Association, the Keystone Steel & Wire Co., Iowa State College, and others.

Absolute alcohol mixes with gasoline in all proportions, making a blend that is noncorrosive, and is permanent under all conditions of use. There are no technical difficulties either in manufacture or use of anhydrous alcohol for fuel that cannot be readily overcome.

The addition of 10 to 20 percent of alcohol with gasoline noticeably improves the performance of the motor using the fuel. Characteristics from which better performance results are as follows:

Alcohol is an excellent antiknock agent, engines start easier with alcohol-blended fuel, the engine operates more smoothly, acceleration is greater, less carbon is formed, no gum accumulation occurs, and engines operating on alcohol blends show lower cylinder head temperatures and give measurably higher power than straight gasoline.

Before endorsing the legislation proposed the proponents of the bill recognized that it was necessary to know just what the blended fuel would do in the matter of increased mileage in automobiles of all makes and ages under actual road conditions. Tests by industrial companies in which hundreds of automobiles had been used throughout the past 2 years showed increased mileage as well as better general performance, but more definite information was wanted, therefore comprehensive tests were started in Illinois, Iowa, and Nebraska.

The Illinois Agricultural Association is a large distributor of gasoline in Illinois. Under special arrangement with Dr. Doran, of the Industrial Alcohol Commission, this association secured a supply of alcohol which was sold as a blended fuel with gasoline to the general public within a 50-mile radius of the city of Peoria, Ill. Up to April 19 approximately 500,000 gallons of 10-percent alcohol-blended fuel had been distributed. Report blanks went to each purchaser.

An analysis of reports from 712 customers returned by April 19 last, comparing the 10-percent blend with regular gasoline, brings out the following points:

Out of a total of 712 customers, 579 reported easier starting, 675 reported increased acceleration, 670 reported smoother operation, 673 less knock, 678 increased power, and 683 reported general performance of the motor better. Seven hundred and nine reports indicate that the trade will pay a premium of 2 to 3 cents per gallon for 10-percent alcohol blend.

Similar reports were secured from 29 users who heretofore had used ethyl gasoline, and who compared the performance of the 10-percent alcohol blend with that premium fuel. Twenty-five reported better motor performance on the alcohol blend, and 17 reported an average mileage increase of 3.09 miles per gallon.

One individual report which is of especial interest is that of Adolph Woolner, Jr., 439 Moss Avenue, Peoria, Ill. Between March 11 and March 23 he made comparative tests of the alcohol blend, regular and ethyl gasoline in the same car, over the identical road trip, and the results are summarized in the following report:

Ten-percent alcohol gas: Used 40 gallons 10-percent alcohol gas in 500 miles; average, 12.5 miles per gallon. Price at Peoria, 18.6 cents per gallon; cost per mile, 1.48 cents.

Regular gas: Used 40 gallons regular gas in 380 miles; average, 9.5 miles per gallon. Price at Peoria, 14.6 cents per gallon; cost per mile, 1.53 cents.

Ethyl gas: Used 40 gallons ethyl gas in 448 miles; average, 11.2 miles per gallon. Price at Peoria, 18 cents per gallon; cost per mile, 1.60 cents.

All the above tests were made in a Packard car, 1929 model, no. 640, weighing 5,400 pounds. The runs were made over the same route, from 439 Moss Avenue, Peoria, to Bureau Junction by way of Mossville, Rome, Chillicothe, Sparland, Henry, and Putnam. Return trip, the same route until Sparland; then taking the "hill" road to Mount Hawley Road and back to starting point, making a total of 128 miles for round trip.

Tests are being continued, not only by the Illinois Agricultural Association but in numerous localities in Iowa and Nebraska, where results are being checked. Large indus-

trial corporations, among them the Keystone Steel & Wire Co., of Peoria, Ill., and the Earl Coryell Oil Co., of Lincoln, Nebr., have been distributing the blended fuel, with results that agree closely with those reported above.

The proposed amendment is only asked to assist in introducing the new fuel, and to overcome opposition by those who have not conducted large-scale tests of the fuel.

Foreign experience: Use of alcohol blended with gasoline is not new. Legislation encouraging or requiring the use of alcohol blends for motor fuel has been adopted by nine foreign countries—Austria, Brazil, Chile, Czechoslovakia, France, Germany, Hungary, Italy, and Latvia. National legislation is widely advocated, and now pending, in five countries—Argentina, Cuba, Lithuania, Poland, and Uruguay.

CONSIDERATIONS OF ECONOMIC AND NATIONAL POLICY

All thinking classes now recognize that this Nation cannot be prosperous if its farmers, and those dependent on them, are impoverished.

The farm-surplus problem in the United States is critical. Cutting acreage and production is difficult. Wherever new uses for farm products can be developed it is wise to do so as a matter of national policy.

Unquestionably agriculture will be better able to assist in the relief of unemployment if serious national effort is made to develop new industrial uses for raw materials grown on the farm. In the proposed use of alcohol we believe that any added cost would be compensated for by increased efficiency of the fuel.

Agricultural raw materials readily convertible into alcohol include corn and other cereals, rice, potatoes, root crops, fruits, and molasses from the domestic cane and beet-sugar industry.

It should be understood that the helpful influence of this project on agriculture would not be limited to corn, even if it were the only raw material used. It would affect favorably the price of every bushel of grain sold off the farm. The price of cotton and of other crops that compete with corn for acreage would be helped. With the pressure of the corn surplus lifted, southern farmers and dairy producers would benefit, as well as those in the Corn Belt. The general favorable effect on agriculture would pass to American banks, business, and industry.

It is estimated that from 2,000,000,000 to 2,500,000,000 bushels of corn annually are fed or marketed in the United States. A price increase of 10 cents a bushel on that basis would add from \$200,000,000 to \$250,000,000 to farm incomes, and a 20-cent price increase would add \$400,000,000 to \$500,000,000 to the income of the American farmer.

This does not take into account the effect on the income of producers of other farm crops, nor does it consider the large amount that would be paid out to American labor in alcohol factories, railroads, and coal mines.

The effect of decreased farm buying power on farm-machinery sales is shown by Department of Commerce reports for 1928, 1929, and 1931. The totals in the following table include farm implements and certain miscellaneous lines like barn equipment:

Total value manufactured	
1928	\$524,255,416
1929	606,621,812
1931	214,390,792

The Agricultural Year Book for 1933 says: "Sales in 1932 were materially below those of 1931."

The loss of farm buying power is shown in the motor-car trade as well. Sales of new motor cars in the country as a whole fell off 42.6 percent in 1932 as compared with 1931; in the nine Corn Belt States the reduction was 47 percent.

Anyone who travels in farm States can see the extent to which horses are replacing tractors in the fields, and how little farmers' cars are used compared with former years.

GENERAL BENEFITS TO THE NATION'S BUSINESS

The proposed bill creates a new industry in this country. The construction and operation of new industrial-alcohol distilleries would be of incalculable benefit to a number of

other industries including manufacturers of copper, steel, and other equipment, coal-mine operators, railroads, and their employees.

The supply from five new plants, each consuming 25,000 bushels of grain per day, would be required to bring the total production available for motor fuel up to 300,000,000 gallons a year, or 2 percent of the annual fuel consumption. If 5 percent of the motor fuel is alcohol, the supply from 28 new plants, each using 25,000 bushels of grain a day, and producing 20,600,000 gallons of alcohol a year, would be required.

Each new plant, it is estimated, would cost the manufacturer \$3,975,000. Labor employed in producing equipment and constructing one plant would amount to 2,720 men for a year. Each plant would consume 8,750,000 bushels of grain and 150,500 tons of coal a year. Operating labor would require 175 men per plant. Each such distillery would create new freight business estimated at \$1,656,000 a year.

The magnitude of the new business that would be created by a program that would call for the establishment of 28 such units can be gathered from the following summary.

Twenty-eight new units of 20,000,000 gallons' capacity each would require:

Investment in plant, \$111,300,000.

Men employed in building equipment and plant, 78,160.

Bushels of grain a year, 245,000,000.

Tons of coal a year, 4,200,000.

New freight service a year, \$46,382,000.

Factory employees a year, 4,860.

CONSIDERATION OF PETROLEUM RESERVES

The nation which leads in developing alcohol sources for motor fuel is merely anticipating a probable future need. Petroleum is a national capital resource. Minerologists agree that exhaustion of the richer and cheaper sources of gasoline may occur relatively soon as compared with other national resources. As that time approaches, gasoline is bound to rise in price.

It is the province and problem of government to think about the future. The Federal Oil Conservation Board, in its fifth report published in October 1932, said in part:

An analysis of the oil reserves of the United States, based upon the consensus of well-founded opinions, indicates that present known recoverable oil reserves in the United States are of the magnitude of 10 billion barrels.

Although in its fourth report this board discussed some of the factors causing revision of estimates of oil supply and pointed out that during the last decade every estimate had required revision upward in the light of increased production factors, nevertheless it is timely to realize the significance which should be attached to well-founded figures showing that at the current rates of production, the equivalent of our present known oil reserves will have been withdrawn from their underground reservoirs in 10 to 12 years.

A sound national policy for a safe and sufficient motor fuel for the future warrants the development of industrial alcohol as an added supply to the great petroleum deposits with which we are blessed. [Applause.]

FARM RELIEF

Mr. JONES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3835) to relieve the existing national economic emergency by increasing agricultural purchasing power, with Senate amendments, disagree to Senate amendments 1 to 84, inclusive, and that it shall be in order to consider in the House Senate amendment no. 85 to said bill, with all points of order against said amendment waived.

Mr. SOMERS of New York. Mr. Speaker, reserving the right to object, may I inquire of the leadership just how much discussion is to be permitted upon this important amendment, and whether or not we are going to be permitted to amend it, or are we expected to pass it through the hands of some conferees, who will bring their report upon the floor and pass it after an hour's discussion?

Mr. JONES. Under this unanimous-consent request the other amendments would be sent to conference and amend-

ment no. 85, which is the expansion amendment, would be up for consideration in the House subject to a motion, with such debate as the House may see fit to allow. A motion to concur will probably be made and the House will take action on that motion.

Mr. SOMERS of New York. Has the gentleman any idea along these lines now? Are we to have an adequate amount of debate?

Mr. JONES. So far as I am concerned, I should like to see an adequate amount of debate on the amendment, but if the House saw fit to vote the previous question, it could do so at any time or the House could have extended debate by unanimous consent. As I understand, someone may be recognized to move to concur in the Senate amendment, which would give 1 hour's debate unless the time is extended by unanimous consent. I would have no objection to the time being further extended if no one objected to the request. But after debate we should have final action.

Mr. SOMERS of New York. Has the gentleman discussed the matter with the minority leader to find out how he feels about it?

Mr. JONES. I understand the Speaker has had the matter up with him and has disclosed the plan with reference to the matter.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. JONES. I yield.

Mr. CLARKE of New York. Do I understand correctly that there is a serious error in this bill and that the bill that is here now is not the bill that was passed by the Senate?

Mr. JONES. No; this is the bill that passed the Senate.

Mr. CLARKE of New York. And there is no error in the bill whatsoever?

Mr. JONES. There is no error in the bill as it came over this morning.

Mr. CLARKE of New York. I heard there was an error in the bill and it would have to be reprinted.

Mr. JONES. There was an error in the first print of the bill, but it was corrected, and the bill came over this morning in corrected form.

Mr. SNELL. Mr. Speaker, reserving the right to object, this is probably the most important piece of legislation that will be before the House at this session or in many years to come. It covers more ground than any piece of legislation I have ever known anything about, and it is so important that I feel I should be compelled to object to the unanimous-consent request of the gentleman from Texas [Mr. Jones].

Mr. JONES. If the gentleman will withhold any objection a moment, would it be satisfactory to the gentleman if we got unanimous consent in advance to extend the time for debate? I agree that it is an important matter. It is also important that it be acted upon. I hope the gentleman will be reasonable.

Mr. SNELL. We feel that amendment no. 85, the currency proposition, is a matter that changes the fundamental law of this land in regard to our currency and is of such vital importance to all the people everywhere that it ought to have careful and considerate attention by this House, and as far as we are able we Republicans want to demand such consideration. I do not want to do anything to delay the passage of this bill, but we insist, as far as we are able, on having ample time to go into it and discuss the proposition and offer such amendments as we think proper. The Senate took a week on it. I would not think it would be necessary to have as much time as that, but we should like a day or two to get ready for the discussion and we should have at least a day of full debate on the inflation proposition alone. [Applause.]

Mr. RANKIN. Will the gentleman yield?

Mr. SNELL. Yes; if I have the floor.

Mr. RANKIN. To object now would only have the effect of postponing it for another day, and if the gentleman from Texas is willing to agree to a reasonable amount of time, why not proceed with the debate now?

Mr. SNELL. I think we ought to have a little time to go into the matter before we start the debate; the final draft of the bill has just come to my desk. I would be willing to

have the debate tomorrow, but I would not want to consent today.

Mr. JONES. Would the gentleman agree to the unanimous-consent request if it is agreed that it is to be considered tomorrow and avoid the necessity of going through the process of securing a rule?

Mr. SNELL. How much time is the gentleman willing to give us in debate, and is he willing to consider it under general rules of the House?

Mr. BYRNS. Of course, the gentleman understands that an objection now will mean it will be necessary to bring in a rule.

Mr. SNELL. I understand that.

Mr. BYRNS. I think the gentleman from New York and the gentleman from Texas can come nearer getting what they both want if they can agree upon time rather than go through the process of getting a rule which may or may not suit them.

Mr. SNELL. Does the gentleman want to read this under the 5-minute rule and consider it as other important legislation is considered? This is an entirely new and radical proposition that has never been considered by the House.

Mr. JONES. I will agree with the gentleman on 3 hours' discussion. It is hoped that the adoption of this amendment will bring about a better commodity-price level. Surely that is a desirable object.

Mr. SNELL. The gentleman cannot come to any further agreement with me that provides for just talk. Of course, the gentleman has the power to bring in a rule and force it down our throats. If you will give us an opportunity to amend it and to consider it in the usual way, we will make an agreement.

Mr. JONES. If the gentleman has made up his mind in advance that he is not going to agree to anything, there is no use discussing the matter. A rule becomes necessary in that event.

Mr. SNELL. We might just as well understand it now, that I will not make an agreement unless some of our rights are protected.

Mr. JONES. I was trying to get an amicable agreement with the gentleman.

Mr. SNELL. If the gentleman will let us consider the bill in the usual way—

Mr. BYRNS. We are proposing to consider it in the usual way, I will say to the gentleman. I know of no precedent which would impel the House to consider a Senate amendment paragraph by paragraph.

Mr. SNELL. In the gentleman's long experience in the House has he ever seen an amendment similar to this that changes the fundamentals of our currency system?

Mr. BYRNS. No; I never have.

Mr. SNELL. And then have a request made to pass it without any consideration?

Mr. BYRNS. But we are facing new conditions every day, and this is one Senate amendment. It does seem to me it ought to be possible to discuss this one Senate amendment as a whole. Of course, if Members want to pick out some particular paragraph to discuss they can do so, but I see no reason for extended discussion.

Mr. SNELL. There are 3 or 4 distinct propositions involved. There are some of them that some of us want to support, and, I explained, we can come to an agreement with you about it if you will let it be read in the House and considered as a new piece of important legislation ought to be considered.

Mr. JONES. Will the gentleman agree to have debate today and let it run over until tomorrow and have final action then?

Mr. STEAGALL. Mr. Speaker, let me make this suggestion to the gentleman from New York. Every Member on this side appreciates the position of the gentleman from New York and the fact that he has cooperated so far in the legislation. Let me suggest that the practical situation in which he finds himself will be met if ample time is given to fully discuss the amendments to this bill. I submit to the

gentleman that, in the situation in which he finds himself, that is all he can expect in the matter.

Mr. SNELL. It may be all that I can expect but not all that I claim we have a right to expect, even under unusual circumstances.

Mr. STEAGALL. I suggest that the gentleman agree to a debate of 1 day, and then if the gentleman desires to let it go over we can do so.

Mr. SNELL. I want to say with all frankness to the gentleman from Tennessee, the majority leaders, that we cannot agree by unanimous consent to just let this matter go through by simply talking about it. We want to have it considered under the rules of the House, with the right to offer amendments, and that is the only agreement I can make.

Mr. BYRNS. We are proposing now to agree to 3 hours' debate on these amendments. If we can take it up today, we can send it to conference and get the bill passed without any particular delay. The gentleman has referred to the delay that has occurred in another body. We all know that if this bill has any merit in it—and some of us think that it has—the quicker we can get it passed so as to bring relief to those we are trying to relieve the better. I can see no reason for having it go over for 2 or 3 days.

Mr. SNELL. Does the gentleman think it is unreasonable, on a measure that changes the whole financial system of the United States, to have 2 days' discussion of it?

Mr. BYRNS. I think if the gentleman has been reading the debates in the Senate we are pretty well advised as to what may be said on both sides.

Mr. SNELL. There is a certain responsibility resting upon all Members of the House, and I am going to assert my right as a responsible Member.

Mr. BYRNS. The gentleman has that privilege.

Mr. RANKIN. Let me say to the gentleman from New York [Mr. SNELL] that the very thing we are trying to avoid is interminable debate on these amendments. I can see no reason for going on and considering this amendment under the 5-minute rule. It was not done when the gentleman's party was in power.

Mr. SNELL. I object to that statement, for we never tried to do anything of this kind before, and every old Member knows it.

Mr. RANKIN. Oh, your party gagged the House efficiently on the tariff bill, and the country has been gagged by it ever since.

Mr. SNELL. I object to the gentleman's statement, because it has nothing to do with the present situation. I know what I am talking about.

Mr. RANKIN. Mr. Speaker, to expedite matters I demand the regular order.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DIMOND, indefinitely, on account of illness.

To Mr. KVALE, on account of urgent business.

FARM RELIEF

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report upon the consideration of the Senate amendments to the farm relief bill.

The SPEAKER. Is there objection?

Mr. BEEDY. Mr. Speaker, I reserve the right to object. I hope seriously that the leaders on the Democratic side will not contemplate limiting this House to 3 hours' debate on an amendment which affects the currency problems of the Nation, which the other body has discussed for 2 weeks. I confess great disappointment at the mere proposal to have only 3 hours of debate.

Mr. BYRNS. Mr. Speaker, so far as I am personally concerned, I have no objection to even 4 hours or 5 hours, but I see no reason why this House should consume 2 or 3 days discussing the amendment, when it has been already so fully discussed. It seems to me that no good can be accomplished by an extended discussion covering 2 or 3 days. We must

remember that this bill was proposed primarily to relieve agriculture, and here we are on the 1st of May, with the planting season already started, and nothing done by this Congress. We ought to pass the bill as quickly as we can, if it is to bring any relief.

Mr. SNELL. We are not to blame because all these things were added to the original bill.

Mr. BYRNS. They were added by the Senate.

Mr. SNELL. But we on this side of the House are not to blame for that.

Mr. BYRNS. Nor are we on this side.

Mr. BEEDY. The responsibility is with the majority party for taking this agricultural bill and extending it over the whole field of currency.

Mr. HOWARD. We will take the responsibility.

Mr. BEEDY. I think there should be no proposal here to force this down with less than 9 hours of debate.

Mr. BYRNS. I hope the Rules Committee will consider the question of time.

Mr. BEEDY. I shall not object.

The SPEAKER. Is there objection?

Mr. McFADDEN. Mr. Speaker, I reserve the right to object. I am one Member of this House who will not agree to the suggestion, in respect to matters which are to determine the very life of the Nation, that we in this body shall accept without debate what has taken place in the Senate. This is the most important bill that has been before this Congress, and there should be time enough given to the Members of the House to discuss it thoroughly. No subject is so little understood in the United States as the problem involved in these amendments in respect to the currency. There are three or four separate proposals in this inflationary amendment which have been attached to the bill. Each and every one of these propositions should be understood and discussed by the membership of this House, unless we are going to surrender absolutely the powers given to the Congress under the Constitution of the United States. Unless I can have assurance that there is going to be time enough to discuss each one of these different propositions in this particular bill, I am going to object even to the granting of time within which to file the report from the Rules Committee.

Mr. BYRNS. Mr. Speaker, it is a matter for the Rules Committee to pass on the time that they will allow. After all, it will be a question with the House as to whether or not it accepts the rule reported by the Rules Committee.

Mr. McFADDEN. The gentleman has control of the majority votes on this matter. Will not the gentleman assure us now that we will have more than 3 hours' debate? There should be at least 2 days.

Mr. BYRNS. I have just said that so far as I am personally concerned I would not object to even 5 hours, but I think that is long enough on this one amendment.

Mr. McFADDEN. Reserving the right further to object, is the gentleman going to afford an opportunity to instruct the conferees, under the rule?

Mr. BYRNS. I cannot give the gentleman any assurance as to what the rule will contain. If I could, I would.

Mr. McFADDEN. Can the gentleman give us assurance that there will be more than 3 hours of debate?

Mr. BYRNS. I have just told the gentleman how I feel about it personally. I cannot answer as to what the Rules Committee will do.

Mr. McFADDEN. What is the gentleman's own view?

Mr. BYRNS. I have just told the gentleman that I would not object to 5 hours, but I think that is ample.

Mr. McFADDEN. Let me ask the gentleman this: Will the different proposals in the inflationary measure be considered separately, so that they can be discussed and acted on separately?

Mr. BYRNS. No. I have just said that I think the amendment should be considered as one amendment. That is the way it passed the Senate. Would the gentleman object, or would any other gentleman on that side object, if the gentleman from Texas [Mr. JONES] were to renew his

request for consideration of this bill tomorrow, with the understanding that amendments 1 to 84, inclusive, are to be disagreed to and sent to conference, and that then we are to discuss amendment numbered 85, the inflation amendment, for a period of 5 hours. That would obviate the necessity for a rule.

Mr. McFADDEN. I would not object to that if these matters can be divided and can be discussed and acted upon separately.

Mr. BYRNS. If the gentleman will agree to that, it will obviate the necessity for a rule.

Mr. SNELL. We cannot agree to that.

Mr. BRITTEN. Mr. Speaker, I will not agree to that, as one Member on this side of the House, because I should prefer to see the majority party bring in a rule. Let them enact legislation as they have in the past, as rubber stamps of the present administration. Why make believe that there is an agreement between us. If Congress is going to be a rubber stamp for the President, why pretend that we are in agreement? Many Republican Members are in complete disagreement with this inflation panacea. Let the Democratic majority bring in a rule, and I do not care how strong or arbitrary the gentleman makes it, because it will be passed just the same by the same votes that have heretofore surrendered all our constitutional authority to the President.

Mr. BYRNS. The gentleman has referred to rubber stamps. If we have acted as rubber stamps, we have caught the habit from the gentleman and his party during the last decade. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. CARTER of Wyoming. Mr. Speaker, I object.

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that the House stand in recess until called by the Speaker of the House in session, in order that the Committee on Rules may have an opportunity to bring in a rule today, so that this matter will not be thrown over until Wednesday.

Mr. LUCE. Mr. Speaker, reserving the right to object, in such a serious matter as this, for one, I regret that any considerations other than the wisdom of adequate debate have been introduced. I wish to point out that the function of the House is not only to reach decisions but also to acquaint the public in order that there may be intelligent public judgment upon what we do. I trust the gentleman will ignore any but this one consideration. As far back as the time of the Greeks there was a famous saying, "Strike but hear." For the sake of being heard and for the sake of contributing as we may to the final arbiter in these things—the people—I trust the gentleman's committee will give adequate opportunity for consideration of conflicting views.

Mr. JONES. Mr. Speaker, the regular order.

Mr. BEEDY. Mr. Speaker, I object.

Mr. BYRNS. Mr. Speaker, I move that the House stand in recess until the call of the Speaker.

Mr. SNELL. Mr. Speaker, I make a point of order against that motion; but if the gentleman will listen, I think we can straighten it out. [Cries of "Vote!" "Vote!" "Vote!"]

Very well. I will make the point of order against the motion that the motion is not privileged.

Mr. GOSS. I make the point of order that the motion is not privileged, Mr. Speaker.

Mr. MAPES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MAPES. I should like to ask if the Speaker put the unanimous-consent request of the gentleman from Tennessee [Mr. BYRNS] asking that the Rules Committee have until 12 o'clock tonight within which to file a report, and if any objection was made to that request after the gentleman from Tennessee indicated that he was willing to allow more than 3 hours' general debate.

The SPEAKER. The Chair will put the request again, without objection.

The gentleman from Tennessee asks unanimous consent that the Committee on Rules have until midnight tonight

within which to file a report on the matter under consideration.

Is there objection?

Mr. SNELL. Reserving the right to object, and I do not intend to object, of course they can simply force us to stay here and come back a little later. They can do that, so let us agree to this request and let them file a report later in the afternoon and take up this matter tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SEARS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SEARS. I wish to call attention to the fact that there are other important amendments in this bill to relieve the existing national economic emergency by increasing agricultural purchasing power (H.R. 3835) besides title 3, financing.

As the bill passed the House citrus growers of Florida can only borrow on their groves on a valuation of \$100 per acre, owing to the fact that no provision is provided enabling the appraiser to take into consideration the value of the trees on the land or the fruit on the trees. In other words, the appraiser only appraises the land and allows no value for the trees or for the fruit thereon. I understand the same restriction applies to apple and peach orchards. This is grossly unfair and as a matter of fact does not give the growers any relief. I am satisfied my colleagues did not think this provision would be so construed.

I want to call the attention of the conferees to section 41 of the bill, which is an amendment passed by the Senate, as follows:

LOANS TO FRUIT GROWERS

Sec. 41. That in making loans to owners of groves and orchards, including citrus-fruit groves and other fruit groves and orchards, the Federal land banks, the farm land banks, and all Government agencies making loans upon such character of property shall, in appraising the property offered as security, give a reasonable and fair valuation to the fruit trees located and growing upon said property and constituting a substantial part of its value.

If this amendment is concurred in by the conferees and the House, then the citrus growers of Florida may secure at least some relief.

Much has been said during the last few months about giving assistance to farmers, but the definition of a farmer is generally interpreted as only including those who grow wheat, corn, cotton, and other so-called "staples." The growing of oranges and grapefruit is an established industry and one of the backbones of Florida, and I firmly believe that Congress will not do the citrus industry a gross injustice by refusing to concur in section 41, as added to the bill in the Senate. I therefore urge the conferees in the strongest terms possible to retain this amendment in the bill.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes on the question of the expansion of the currency.

Mr. SNELL. Reserving the right to object, is it the understanding that no more business is to come up?

The SPEAKER. The Chair does not know of any further business.

Mr. SNELL. It seems to me if we are going to consider this inflation matter tomorrow, the general discussion should come up then, unless we want to sit here and discuss it all day today.

Mr. PATMAN. I see no reason why we could not discuss it some this afternoon.

Mr. SNELL. With the understanding that we can get some time on this side, that will be satisfactory.

Mr. SUMNERS of Texas. Mr. Speaker, reserving the right to object, I should like to suggest to the Speaker that while there may be no other legislative matters it is my desire presently to submit a resolution. I understood the Chair to state to the gentleman from New York [Mr. SNELL] that

there would be no other business. I understood the Chair to mean by that that there would be no other legislative business.

The SPEAKER. Oh, yes; no other legislative matters.

Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

Mr. BRITTEN. Mr. Speaker, I am sorry to do so, but I must object, because there is another matter to come before the House which is very, very important and very serious. So I object.

Mr. SUMNERS of Texas. Mr. Speaker, it becomes my sad duty to announce to the House that on last Saturday morning the Honorable CLAY STONE BRIGGS, a distinguished Member from Texas, fell at his post of duty, the second member of the Texas delegation within recent months to die as a soldier dies in this great conflict in which the Members of the House and the country are engaged.

No man on either side of the House enjoyed or deserved a more universal respect and confidence than our friend who has just gone from us. He served well in his day and generation.

Mr. Speaker, I send to the desk a resolution.

The Clerk read as follows:

House Resolution 123

Resolved, That the House has heard with profound sorrow of the death of Hon. CLAY STONE BRIGGS, a Representative from the State of Texas.

Resolved, That a committee of two Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the gentleman from Texas, Mr. LANHAM, and the gentleman from Texas, Mr. BAILEY.

The Clerk will report the further resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect, this House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 56 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 2, 1933, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

30. A letter from the Secretary of Commerce, transmitting draft of a bill for the relief of Mr. Charles E. Molster, disbursing clerk, Department of Commerce, and Dr. Louis H. Bauer, a former employee; to the Committee on Claims.

31. A letter from the Secretary of War, transmitting a draft of a joint resolution to authorize the attendance of Mr. Posheng Yen, a citizen of China, at the United States Military Academy; to the Committee on Military Affairs.

32. A letter from the secretary of the Reconstruction Finance Corporation, transmitting a report of the activities and expenditures of the Reconstruction Finance Corporation for the month of March 1933, together with a statement of loans authorized during the month, showing the name, amount, and rate of interest in each case (H.Doc.No. 26); to the Committee on Banking and Currency and ordered to be printed.

33. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts, as follows: Department of Commerce, \$670; Navy Department, \$1,561; Treasury Department, \$12,160.44; total, \$14,391.44; to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. POUL: Committee on Rules. House Resolution 124. Resolution providing for the consideration of H.R. 3835, an act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, with Senate amendments; without amendment (Rept. No. 59). Referred to the House calendar.

Mr. POUL: Committee on Rules. House Resolution 125. Resolution providing for the consideration of House Resolution 124, a resolution providing for the consideration of H.R. 3835, an act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, with Senate amendments; without amendment (Rept. No. 60). Referred to the House calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHALLENBERGER: A bill (H.R. 5362) to amend the provisions of the Revenue Act of 1932 relating to the tax on gasoline; to the Committee on Ways and Means.

By Mr. MANSFIELD: A bill (H.R. 5363) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. SCHULTE: A bill (H.R. 5364) to provide relief for the loss of employment by Government employees; to the Committee on the Civil Service.

By Mr. CLARK of North Carolina: A bill (H.R. 5365) providing for the recognition and enrollment as Cheraw Indians of certain Indians in the State of North Carolina; to the Committee on Indian Affairs.

By Mr. JOHNSON of Minnesota: A bill (H.R. 5366) to reduce the compensation of Senators, Representatives, Delegates, and Resident Commissioners to \$7,500 per annum; to the Committee on Expenditures in the Executive Departments.

By Mr. KNUTSON: A bill (H.R. 5367) to authorize owners of resort property to secure from the home-loan banks loans secured by mortgages and to authorize such banks to lend to members on the security of such mortgages; to the Committee on Banking and Currency.

By Mr. MARTIN of Colorado: A bill (H.R. 5368) to extend the provisions of the Forest Exchange Act of March 20, 1922 (42 Stat. 465); to the Committee on the Public Lands.

By Mr. CHAVEZ: A bill (H.R. 5369) providing for the issuance of patents upon certain conditions to lands and accretions thereto determined to be within the State of New Mexico in accordance with the decree of the Supreme Court of the United States entered April 9, 1928; to the Committee on the Public Lands.

Also, a bill (H.R. 5370) granting certain public lands to the State of New Mexico for the use and benefit of the Spanish-American Normal School, and for other purposes; to the Committee on the Public Lands.

By Mr. POUL: Resolution (H.Res. 124) providing for the consideration of H.R. 3835, an act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, with Senate amendments; to the Committee on Rules.

Also, resolution (H.Res. 125) providing for the consideration of House Resolution 124, a resolution providing for the consideration of H.R. 3835, an act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes, with Senate amendments; to the Committee on Rules.

By Mrs. NORTON: Resolution (H.Res. 126) to authorize appropriation for expenses of subcommittee of Committee on the District of Columbia; to the Committee on Accounts.

Also, joint resolution (H.J.Res. 169) proposing an amendment to the Constitution of the United States providing for national representation for the people of the District of Columbia; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Territory of Alaska, memorializing Congress to give favorable consideration to the Wheeler bill, S. 2487; to the Committee on Banking and Currency.

Also, memorial of the Commonwealth of Massachusetts, memorializing Congress relative to a tariff to protect the fishing industry; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHAVEZ: A bill (H.R. 5371) to provide for payments to certain property owners in New Mexico for losses caused by the floods in the Rio Grande Valley during 1929; to the Committee on Irrigation and Reclamation.

Also, a bill (H.R. 5372) to authorize amendment of the act of February 25, 1927, for the payment of damages caused by reason of the overflow of the Rio Grande on August 17, 1921; to the Committee on Claims.

Also, a bill (H.R. 5373) for the relief of Juan Apodaca; to the Committee on Military Affairs.

Also, a bill (H.R. 5374) authorizing the reimbursement of Edward B. Wheeler and the State Investment Co. for the loss of certain lands in the Mora Grant, N.Mex.; to the Committee on the Public Lands.

Also, a bill (H.R. 5375) for the relief of Albert Gonzales; to the Committee on Claims.

Also, a bill (H.R. 5376) for the relief of Sigmund Lindauer; to the Committee on Claims.

Also, a bill (H.R. 5377) for the relief of Arthur B. Hastie; to the Committee on Military Affairs.

Also, a bill (H.R. 5378) for the relief of John W. Harvey; to the Committee on Military Affairs.

Also, a bill (H.R. 5379) granting a pension to Andrew M. Hall; to the Committee on Pensions.

Also, a bill (H.R. 5380) granting a pension to Charles Cerny; to the Committee on Pensions.

Also, a bill (H.R. 5381) granting a pension to William D. Kershner; to the Committee on Pensions.

Also, a bill (H.R. 5382) for the relief of Felix Griego; to the Committee on Military Affairs.

Also, a bill (H.R. 5383) for the relief of James D. McCaffrey; to the Committee on Military Affairs.

By Mr. JOHNSON of Oklahoma: A bill (H.R. 5384) for the relief of Sgt. John F. Hartman; to the Committee on Military Affairs.

By Mr. SHANNON: A bill (H.R. 5385) granting a pension to Joseph Ladish; to the Committee on Pensions.

By Mr. SWANK: A bill (H.R. 5386) for the relief of John Hamilton; to the Committee on Military Affairs.

By Mr. SWEENEY: A bill (H.R. 5387) for the relief of Joseph Gebo; to the Committee on Military Affairs.

By Mr. WIGGLESWORTH: A bill (H.R. 5388) for the relief of Napoleon Moran; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

809. By Mr. ANDREW of Massachusetts: Petition adopted by Massachusetts House of Representatives, urging reasonable tariff protection for the fishing industry; to the Committee on Ways and Means.

810. By Mr. ARENS: Petition of New York Mills National Farm Loans Association that Federal land banks and Federal agencies should defer foreclosures until Government action on farm relief; to the Committee on Ways and Means.

811. Also, petition of Charles Munn, speaker of the House of Representatives of the State of Minnesota, adopted by the house of representatives on the 8th day of April 1933, and signed by Frank Starky, chief clerk of the House of Representatives of the State of Minnesota, that Federal action be taken relative to unemployment insurance, that it is unwise and unfair to Minnesota labor and Minnesota industries to have Minnesota be the first, or one of the few States, to adopt compulsory unemployment insurance laws, and also memorialize Congress to create a special commission or board to study this question; to the Committee on Ways and Means.

812. Also, petition of the Central Cooperative Wholesalers, A. J. Hayes, chairman, requesting the Senators and Congressmen of Wisconsin, Minnesota, and Michigan to use their efforts to secure an amendment of the Revenue Acts of 1926 and 1928, so that the Consumers Cooperative Association would be exempt under the revenue acts; to the Committee on Ways and Means.

813. Also, petition of the Central Labor Political Committees of Duluth and Proctor, R. A. Olson, chairman, and Milton Carlson, secretary, memorializing Congress to issue money and establish the value thereof, and that Congress extend to the several States of the Union the same courtesy which is extended to the Federal Reserve bank in the matter of loaning money, and issue directly to the said States on the security of the natural resources of such States, money to be loaned directly to the people through such agencies; to the Committee on Banking and Currency.

814. By Mr. CRAVENS: Petition of Arkansas-Oklahoma Coal Operators' Association, protesting against the passage of the Black bill, S. 158; to the Committee on Labor.

815. By Mr. EVANS: Petition of John Alferi, favoring the payment of the bonus; to the Committee on Ways and Means.

816. By Mr. GIBSON: Petition of the American Legion, Department of Vermont, opposing the proposed cut in the funds appropriated for national defense; to the Committee on Appropriations.

817. By Mr. HOLMES: Petition of the Worcester Chamber of Commerce, Worcester, Mass.; to the Committee on Labor.

818. By Mr. JOHNSON of Minnesota: Resolution of Watonwan County Legislative Committee, favoring refinancing of farm mortgages and controlling inflation; to the Committee on Agriculture.

819. By Mr. LINDSAY: Petition of Brotherhood of Railroad Trainmen, legislative board, Albany, State of New York, favoring the enactment of the Crosser bill, H.R. 4876; to the Committee on Interstate and Foreign Commerce.

820. Also, petition of Briede & Rogovsky, Inc., wholesale tailors, Chicago, Ill., opposing the 30-hour week bill; to the Committee on Labor.

821. Also, petition of John Drzazga, of Jamaica, N.Y., favoring the 30-year retirement bill; to the Committee on Appropriations.

822. Also, petition of Young Men's Board of Trade, New York City, opposing ratification of the proposed treaty with Canada concerning the St. Lawrence seaway; to the Committee on Foreign Affairs.

823. Also, petition of Klein Bros., silk manufacturers, New York City, opposing House bill 3759; to the Committee on Banking and Currency.

824. Also, petition of American Federation of Government Employees, Lodge No. 36, Brooklyn, N.Y., favoring optional

amendment to 30-year retirement bill; to the Committee on Appropriations.

825. Also, petition of the American News Co., Inc., New York City, opposing House bill 3759; to the Committee on the Judiciary.

826. Also, petition of Parke, Davis & Co., New York City, opposing House bill 3759; to the Committee on the Judiciary.

827. Also, petition of the Baker Castor Oil Co., New York City, opposing House bill 3759; to the Committee on the Judiciary.

828. Also, petition of the National Grange, American Farm Bureau Federation, Washington, D.C., favoring the Goldsborough bills, H.R. 5073 and 5160; to the Committee on Banking and Currency.

829. Also, petition of Edward Quittner, New Rochelle, N.Y., urging support of House bill 95, for an investigation of the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

830. By Mr. RUDD: Petition of the Young Men's Board of Trade, New York City, opposing the ratification of the proposed treaty with Canada concerning the St. Lawrence seaway; to the Committee on Foreign Affairs.

831. Also, petition of Brotherhood of Railroad Trainmen Legislative Board, State of New York, favoring the passage of the Crosser bill, H.R. 4876; to the Committee on Interstate and Foreign Commerce.

832. Also, petition of Brooklyn Chapter, No. 28, Disabled American Veterans of World War, protesting against giving the President power to modify or cancel any contract unless it exempts insurance policies from the operations of its provisions; to the Committee on Appropriations.

833. Also, petition of American Federation of Government Employees, Lodge No. 36, Brooklyn, N.Y., opposing the Director of the Budget's recommendations and dictatorship, etc.; to the Committee on Appropriations.

834. Also, petition of Parke, Davis & Co., New York City, protesting against the passage of House bill 3759; to the Committee on Banking and Currency.

835. Also, petition of the Baker Castor Oil Co., New York City, protesting against the passage of House bill 3759; to the Committee on Banking and Currency.

836. Also, petition of Klein Bros., New York City, opposing the passage of House bill 3759, or any similar bill; to the Committee on Banking and Currency.

837. By Mr. HOWARD: Resolution memorializing the Secretary of Agriculture of the United States to institute prosecution against Swift & Co., Armour & Co., and Cudahy Packing Co. for violation of the Sherman Anti-Trust Act, as adopted by the House of Representatives of Nebraska; to the Committee on Agriculture.

838. By Mr. THOMASON of Texas: Petition of disabled veterans, business men, and other citizens of western Texas, transmitting resolutions adopted in regard to legislation affecting veterans, and for other purposes; to the Committee on World War Veterans' Legislation.

839. By Mr. TREADWAY: Memorial of the House of Representatives of the General Court of Massachusetts, urging reasonable tariff protection for the fishing industry of the United States; to the Committee on Ways and Means.

840. By the SPEAKER: Petition of Cecil W. Rote and other citizens of Oklahoma City, Okla., favoring compulsory retirement of all classified civil-service employees after 30 years' service; to the Committee on the Civil Service.

SENATE

TUESDAY, MAY 2, 1933

(Legislative day of Monday, May 1, 1933)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. ROBINSON of Arkansas. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.